



GOVERNMENT OFFICE NETWORK

I am writing in response to your request of 16 July, attached at annex A, to the Secretary of State for Communities and Local Government for information in relation to the future of the Government Office Network.

Your request has been considered under the Freedom of Information Act 2000 (FOIA). I can confirm that information falling within the terms of your request is held and we are able to let you have some of that information.

With regard to parts 1 and 2 of your request, the Department does not hold information relating to consultation undertaken by the Secretary of State with local authorities or the voluntary sector about the decision to abolish the GO Network. The decision to abolish the Network, a commitment of the Coalition Government as set out in the Coalition Agreement, was announced 'in principle' on 22 July. This announcement has opened up an opportunity for debate with a wide range of partners as to exactly how and when abolition will take place.

As you will be aware, following [name of official] letter of 29 July and your reply of 12 August, parts 3b and 3c of your request will be responded to separately.

Information that is held in respect of parts 3a and 3d of your request, and which we are able to disclose, is attached.

The remainder of the information that you have requested in those two parts of your request is being withheld under the following exemptions in Part II of the FOIA. The information we are withholding for these parts of your request relates to the formulation and development of Government policy, the policy of reforming the interaction between central and local government, and therefore falls within the exemption at section 35(1)(a) of the FOIA.

This exemption is qualified, which means that the information held by this department and falling within the exemption must be released unless the public interest in doing so is outweighed by the public interest in maintaining the exemption.

The Secretary of State for Communities has recently announced that in principle it is the Government's decision to abolish the eight remaining Government Offices. Making decisions such as this about the future of the Network, requires that ministers are able to consider fully the range of possible options and their implications. To be able to do that it is particularly

important that they have private thinking space in which they can ask for and receive full and frank impartial advice from officials on the range of possible options and can then weigh up the pros, cons and all implications before reaching a decision.

On balance we consider that the public interest in maintaining the exemption at section 35(1)(a) outweighs that in disclosing the information at this particular time, as the final decision about how best to achieve the necessary interaction between local and central government is yet to be fully determined. Accordingly we are withholding the information you have requested.

Some of the information falling within part 3a of your request relates to communications between ministers and therefore additionally falls within the exemption at section 35(1)(b) of the FOIA. This exemption is also subject to the public interest.

We consider that the arguments set out in this response to your request in respect of the public interest relating to section 35(1)(a) apply equally to the information falling within the exemption at section 35(1)(b) and that the public interest is therefore best served by maintaining that exemption too in this case. Please see annex B which explains the public interest considerations in more detail.

Statistical information is not covered by the s.35(1)(a) exemption. It is also stated in s.35(4) that regard should be had to the public interest in releasing factual information which has been used or is intended to be used to make policy decisions. As an announcement has been made on the Government's intention in principle, we are therefore content to release the factual and statistical information falling within the scope of your requests at 3a and 3d and this is attached at annex C & D respectively.

With regard to part 4 of your request, we have interpreted this as evidence of all diary appointments where the Secretary of State has discussed the future of the GO Network. We are able to provide you with the information held and this is attached at annex E.

Rt. Hon. Eric Pickles
Secretary of State for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU

Dear Mr Pickles

**Freedom of Information Act (FOIA)
Request for information**

I am writing to request the disclosure of information under the Freedom of Information Act in relation to the future of the Government Office Network (GON).

Please can you send me the following:

1. Evidence of which local authorities you consulted with regarding whether to abolish the GON, and copies of their input to the consultation.
2. Evidence of which voluntary sector organisations you consulted with regarding whether to abolish the GON, and copies of their input to the consultation.
3. The minutes of:
 - a) any meetings at which you discussed the future of the GON, and any reports, papers or internal correspondence dealing with this issue (this should include meetings, papers and correspondence from Cabinet meetings, meetings between yourself and civil servants, board members and ministerial or other Government colleagues)
 - b) any meetings at which any civil servants within the Department for Communities and Local Government (DCLG), including within the GON, discussed the future of the Network, and any reports, papers or internal correspondence dealing with this issue
 - c) any meetings between representatives of government departments – whether civil servants, ministers or board members – which discussed the future of the GON, and any reports, papers or internal correspondence dealing with this issue
 - d) all meetings of the GO Sponsorship Board which discussed the future of the GON, and any reports, papers or internal correspondence emanating from the Sponsorship Board and dealing with this issue.

4. Evidence of all diary appointments which can be retrieved which discussed the future of the GON.

If any of this information is already in the public domain, please can you direct me to it, with page references and URLs if necessary.

If the release of any of this information is prohibited on the grounds of breach of confidence, I ask that you supply me with copies of the confidentiality agreement and remind you that information should not be treated as confidential if such an agreement has not been signed.

If you choose to rely on either sections 35 or 36 relating to the development of government policy or the effective conduct of public affairs, I would remind you that the Information Commissioner sets a very high standard of proof that releasing information will fulfil the criteria of the exemptions when weighed against the public interest in the information being released.

Thank you in advance.

Exemptions and public interest considerations

Section 35(1)(a)

Section 35(1)(a) of the FOI Act states that information is exempt if it relates to the formulation or development of Government Policy.

As a qualified exemption, its use is subject to the public interest test which means that the information held by this department and falling within the exemption must still be released unless the public interest in doing so is outweighed by the public interest in maintaining the exemption. There is a general public interest, formalised by the FOI Act, in information held by government being made publicly available as this helps demonstrate transparent and accountable decision-making and allows the public to be more informed and better able to engage in policy development. There is also a strong public interest, however, in ensuring that this does not compromise ministers' access to the necessary degree of private thinking space within which to ask for and receive full and frank, impartial advice from officials and to consider a range of policy options and their issues and implications. This is particularly important where the policy considerations are as recent or current as they are here. On balance, in all the circumstances of this particular case with regards part 3a and 3d of the request, we consider that the public interest in maintaining the exemption outweighs that in disclosing the information.

Section 35(1)(b)

Section 35(1)(b) of the FOI Act states that information is exempt information if it relates to communications between ministers (including, Cabinet meetings, records of ministerial meetings etc). Section 35(1)(b) is again a qualified exemption and so subject to the public interest test. To the extent that any ministerial communications may be a matter of public record, or the information in them is publicly known, then there is no strong public interest case for withholding the information. However, where this is not the case, as here, there is a particularly strong public interest that such information should not be released to allow members of the Government to confer in private before coming to their decisions. On balance, in all the circumstances of this particular case, we consider that the public interest in maintaining the exemption outweighs that in disclosing the information.