

6

[redacted]/OIS/DOH

30/11/2012 10:34

To [redacted]@bat.com

cc [redacted]/PH3/DOH/GB@DOH,
[redacted]@bat.com, [redacted]
[redacted]/PH3/DOH/GB@DOH

bcc

Subj Re: Dept of Health Freedom of Information
ect requestE30F269B0031A0EA80257AC5005FCAC5

Dear [redacted]

My confirmation attached



- BAT reply commercially sensitive 30 Nov.doc

Thank you

[redacted]
Tobacco Control Programme
Dept of Health

tel 020 [redacted]

[redacted]@bat.com

29/11/2012 17:28

To [redacted]/OIS/DOH@DOH

cc [redacted]/PH3/DOH/GB@DOH,
[redacted]@bat.com, [redacted]
[redacted]/PH3/DOH/GB@DOH

Subj Re: Dept of Health Freedom of Information request
ect

Dear [redacted]

Thank you for your email and letter below, to which we respond as attached.

Best wishes.

[redacted]

[REDACTED]
Head of Legal UK & Ireland
Email: [REDACTED]@bat.com

Mob: [REDACTED]
Office: +44 [REDACTED]

British American Tobacco UK Limited
A company registered in England and Wales
Registered office: Oxford House, Oxford Road, Aylesbury, Bucks, HP21 8SZ
Registered number: 02346565

From: [REDACTED]@dh.gsi.gov.uk
To: [REDACTED]@bat.com
Cc: [REDACTED]@dh.gsi.gov.uk, [REDACTED]@bat.com, [REDACTED]@dh.gsi.gov.uk
Date: 27/11/2012 15:03
Subject: Dept of Health Freedom of Information request

Dear [REDACTED]

Please find my letter attached. Thanks for your help with this FOI request. You will see that I am asking for further clarification on commercial sensitivity.

(See attached file: BAT reply to third party response 27 Nov.doc)

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

[REDACTED]@bat.com

[redacted]@bat.com
m

26/11/2012 16:44

[redacted] /OIS/DOH@DOH
To

[redacted] /PH3/DOH/GB@DOH, [redacted]@bat.com, [redacted]
cc [redacted] /PH3/DOH/GB@DOH

Re: Fw: Dept of Health Freedom of Information request

Subject

Dear [redacted]

Please see the attached letter.

With best regards

[redacted]

[redacted]
Head of Legal UK & Ireland
Email [redacted]@bat.com

Mob: 07715 612541
Office: +44 1296 335360

British American Tobacco UK Limited
A company registered in England and Wales
Registered office: Oxford House, Oxford Road, Aylesbury, Bucks, HP21 8SZ
Registered number: 02346565

From: [redacted] /Aylesbury/GB/BATCo
To: [redacted]@dh.gsi.gov.uk
Cc: [redacted]@dh.gsi.gov.uk, [redacted]@dh.gsi.gov.uk, [redacted] /NL/BATCo@BAT
Date: 23/11/2012 09:27
Subject: Fw: Dept of Health Freedom of Information request

Dear [redacted]

Thank you for your email and letter received yesterday afternoon, sent to me by my colleague [redacted]
[redacted]

Please note that [redacted] is currently away from the business on long term leave, and I would therefore be grateful if you could update your records to replace [redacted] contact details with those of [redacted], who is copied on this email, until further notice.

We are currently considering the content of your letter. Mindful of the deadline for reverting that you have imposed, and for our own ease of reference, please could you email to us a complete set of the correspondence in question following which we will revert to you.

Again mindful of Monday's deadline, if you were able to furnish us with the documents this morning that would be most helpful.

Yours sincerely

[REDACTED]

[REDACTED]

Head of Legal UK & Ireland
Email: [REDACTED]@bat.com

Mob: [REDACTED]
Office: +44 [REDACTED]

%BUK%

----- Forwarded by [REDACTED]/Aylesbury/GB/BATCo on 23/11/2012 09:16 -----

From: [REDACTED]/Aylesbury/GB/BATCo
To: [REDACTED]/Aylesbury/GB/BATCo
Date: 22/11/2012 14:06
Subject: Fw: Dept of Health Freedom of Information request

%BUK%

----- Original Message -----

From: [REDACTED]
Sent: 22.11.2012 12:49 GMT
To: [REDACTED]
Cc: [REDACTED]@dh.gsi.gov.uk; [REDACTED]@dh.gsi.gov.uk
Subject: Dept of Health Freedom of Information request

Dear [REDACTED]

Please find attached a letter relating to a request for information received by the Department of Health that is being considered under the Freedom of Information Act 2000.

To enable us, in reaching a decision on this FOI Act request, to consider any points you wish to make, I would be grateful if you could respond to me by close Monday 26 November 2012 if at all possible. I am sorry for the short deadline, please let me know if this presents any difficulty.

(See attached file: BAT third party letter 21 Nov.doc)

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

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[attachment "C.htm" deleted by [REDACTED]/Aylesbury/GB/BATCo]

[attachment "BAT third party letter 21 Nov.doc" deleted by [REDACTED]/Aylesbury/GB/BATCo]

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[REDACTED]/Aylesbury/GB/BATCo] [attachment "BAT reply to third party response 27 Nov.doc" deleted by [REDACTED]/Aylesbury/GB/BATCo].

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DH users see Computer virus guidance on Delphi under Security in DH, for further details. In case of problems, please call the IT support helpdesk.[attachment "FOI Letter to DH 29 Nov 2012.pdf" deleted by [REDACTED]/OIS/DOH]



- FOI Letter to DH 29 Nov 2012.pdf

[REDACTED] /CQEG/DOH/G To [REDACTED]@bat.com
B [REDACTED] /OIS/DOH@DOH, [REDACTED]
25/03/2013 12:09 [REDACTED] /PH3/DOH/GB@DOH
bcc
Subj Re: DH Freedom of Information Request - Note of DH
ect meeting with BAT 25
JanuaryCA790CE5CBCBF85780257B350063AE4C

Dear [REDACTED]

Thank you for your email and for the comments on the note of the meeting on 25 January. We are considering these comments and will get back to you with any comments we have or to confirm the final note of the meeting.

[REDACTED]

[REDACTED]

Tobacco policy manager
[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1
8UG | tel - 020 [REDACTED] || [REDACTED]@dh.gsi.gov.uk

[REDACTED]@ba
t.com To [REDACTED] /OIS/DOH@DOH
21/03/2013 18:21 cc [REDACTED] /CQEG/DOH/GB, [REDACTED]
[REDACTED] /PH3/DOH/GB@DOH
Subj Re: DH Freedom of Information Request - Note of DH
ect meeting with BAT 25 January

Dear [REDACTED]

With reference to your note below regarding an FOI request, I would request the following before any information is released:

1. That the following names are redacted from the note due to the fact that they will be deemed as personal information:

[REDACTED]

2. That only the final, agreed version of the note of the meeting is released instead of your initial draft which you sent to me on 13 March. Earlier today, I have responded with my suggested amendments to this draft, which I now believe truly and fully reflects the discussion held.

I look forward to receiving your confirmation of the above.

With best regards,

[REDACTED]
(Acting) Head of Corporate & Regulatory Affairs
British American Tobacco UK & Ireland

British American Tobacco UK Limited
A company registered in England and Wales
Registered office: Oxford House, Oxford Road, Aylesbury, Bucks, HP21 8SZ
Registered number: 02346565

From: [REDACTED]@dh.gsi.gov.uk
To: [REDACTED]@bat.com
Cc: [REDACTED]@dh.gsi.gov.uk, [REDACTED]@dh.gsi.gov.uk
Date: 15/03/2013 13:46
Subject: DH Freedom of Information Request - Note of DH meeting with BAT 25 January

[REDACTED]

DH Freedom of Information Request

I am sorry to have to come back to you so quickly following my e-mail below, but we have now received a request for information under the Freedom of Information Act regarding the meeting on 25 January 2013.

The request asks for:

1. all notes taken by officials
2. the name and title of each individual in attendance
3. the date
4. the location

It seems to me that the note attached below contains all the information asked for and I can confirm that DH officials no longer hold any further notes from this meeting.

As you know, the FOI Act requires DH to disclose information in response to a request unless an exemption applies. There are two types of exemption in the FOI Act. The first type is an 'absolute' exemption, whereby disclosure may be withheld if the information falls within the terms of the exemption in question. The second type is 'qualified' exemption, whereby information can only be withheld if the balance of the public interest, in all the circumstances of the case, favours maintaining the exemption of the information.

Please let me know if you have any views about the question of disclosure of any information under this request, or matters that you wish us to take into consideration. All relevant factors will be taken into account when deciding whether disclosure of the information identified is required under the FOI Act, in particular where appropriate, the public interest considerations both in favour of and against disclosure.

I would be grateful if you could respond to me (copied to my colleague [REDACTED] [REDACTED]) by **Friday 22 March** with your comments on the accuracy of the attached note and any further points you may wish to make about the DH response to this FOI request. I am sorry for the short deadline but this will enable us to consider any points you wish to make and reach a decision within statutory the FOI Act deadline.

If we do not hear from you by this date, we will assume that you are content with the disclosure of the attached note. If, for any reason, it will be difficult to reply by the deadline, please let [REDACTED] (tel 020 [REDACTED]) know as soon as possible as I will be out of the office.

Yours sincerely

[REDACTED]

Tobacco Control Programme

Dept of Health

tel 020 [REDACTED]

[REDACTED]

Thank you for coming to the meeting on 25 January.

With apologies for the delay, as agreed, please find attached a draft note of the meeting for your comment. Please let me know if you would like any changes made, or if you are content with this draft.

(See attached file: Note of meeting with BAT 25 Jan.doc)

Thanks

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

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[REDACTED]/Aylesbury/GB/BATCo] [attachment "Note of meeting with BAT 25 Jan.doc" deleted by [REDACTED]/Aylesbury/GB/BATCo]

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[REDACTED]/OIS/DOH
22/01/2013 12:31

To [REDACTED]@bat.com
cc [REDACTED]/MPI-PPB/DOH/GB@DOH, [REDACTED]
PH3/DOH/GB@DOH, [REDACTED]
[REDACTED]/OIS/DOH@DOH, [REDACTED]
[REDACTED]/OIS/DOH@DOH, [REDACTED]
[REDACTED]/CAT/DOH/GB@DOH, [REDACTED]@bat.com
bcc
Subj Tobacco packaging meeting Friday 25 Jan
ect

[REDACTED]

Prior to our meeting on Friday, I thought it would be helpful to set out the DH approach to handling confidential, commercially sensitive, information - please see the letter attached. We look forward to the meeting and will be happy to discuss this matter further then.



- BAT letter 22 Jan 2013.doc

[REDACTED]
Tobacco Control Programme
Dept of Health
tel 020 [REDACTED]

[REDACTED]/MPI-
PPB/DOH/GB
21/01/2013 15:29

To [REDACTED]@bat.com, [REDACTED]
PH3/DOH/GB@DOH, [REDACTED]
[REDACTED]/OIS/DOH@DOH, [REDACTED]
[REDACTED]/OIS/DOH@DOH, [REDACTED]/OIS/DOH@DOH,
[REDACTED]/CAT/DOH/GB@DOH
cc [REDACTED]@bat.com
Subj Re: Confirmation date consultation on standardised
ect packaging of tobacco products⁽¹⁾

Just to confirm the meeting arranged for Friday 25th January, from 10.00 - 11.30am, in Room LG02 at Wellington House, 133-155 Waterloo Road, London SE1 8UG. Map attached.

[attachment "map1.doc" deleted by [REDACTED]/OIS/DOH]

[REDACTED]
PA to Tabitha Brufal, Deputy Director

Tobacco & Public Health Responsibility Deal
Department of Health
7th Floor North, Wellington House
133 - 155 Waterloo Road, London SE1 8UG

Tel: 020 [REDACTED]
E-mail: [REDACTED]@dh.gsi.gov.uk

[REDACTED]@
bat.com
15/01/2013 16:24

To [REDACTED]/MPI-PPB/DOH/GB@DOH
cc [REDACTED]@bat.com
Subj Confirmation date consultation on standardised packaging of
ect tobacco products

Dear [REDACTED]

With my apologies for the length of time it has taken to come back to you - caused by colleagues being away on holidays - I can now confirm that British American Tobacco would be happy to accept your invitation for the Friday 25th January between 10 am and 12 midday.

I would be grateful if you could let me have details of where the meeting will be held along with other information that may be relevant. I will soon be able to confirm who from BAT will attend the meeting.

With best regards,

[REDACTED]
(acting) Head of Corporate & Regulatory Affairs

British American Tobacco UK Limited
A company registered in England and Wales
Registered office: Oxford House, Oxford Road, Aylesbury, Bucks, HP21 8SZ
Registered number: 02346565

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(1) -

[REDACTED]/OIS/DOH

11/12/2012 16:03

To [REDACTED]@bat.com

cc

bcc

Subj URGENT: FOI request. Department of Health
ect

Hello,

Please see attached letter and documents in relation to an FOI request received by the Department of Health.



BAT third party letter 11.12.12.doc



1.1 BAT Invitation [14.11.12].doc

I would be grateful for a response by Tuesday 21 December.

Many thanks

[REDACTED]

[REDACTED]

Tobacco Policy Manager
Tobacco Team
7th Floor, North Spur
Wellington House
133 - 155 Waterloo Road
London
SE1 8UG

0207 [REDACTED]

[REDACTED] OIS/DOH

14/11/2012 11:56

To [REDACTED]@bat.com

cc Tabitha Brufal, [REDACTED]/PH3/DOH/GB@DOH, [REDACTED]

[REDACTED]/CAT/DOH/GB@DOH, [REDACTED]

[REDACTED]/OIS/DOH@DOH [REDACTED]

[REDACTED]/OIS/DOH@DOH,

[REDACTED]@DWP.GSI.GOV.UK

bcc

Subj BAT Invitation to Meet DH Analysts
ect

Dear [REDACTED]

Please find attached a letter inviting representatives of BAT to meet DH analysts to discuss developing the Impact Assessment for tobacco packaging.

I hope that you will feel able to take up this offer.

I would be happy to clarify any points if that would be helpful.



- BAT Invitation.doc

[REDACTED]
Tobacco Control Programme
Dept of Health
tel 020 [REDACTED]

Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

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- Note of meeting with BAT 25 Jan.doc



- Note of meeting with BAT 25 Jan BAT

revision.doc

██████████/OIS/DOH
15/03/2013 13:46

To ██████████@bat.com
cc ██████████/CQEG/DOH/GB
bcc
Subj DH Freedom of Information Request - Note of DH meeting
ect with BAT 25 January

██████████

DH Freedom of Information Request

I am sorry to have to come back to you so quickly following my e-mail below, but we have now received a request for information under the Freedom of Information Act regarding the meeting on 25 January 2013.

The request asks for:

1. all notes taken by officials
2. the name and title of each individual in attendance
3. the date
4. the location

It seems to me that the note attached below contains all the information asked for and I can confirm that DH officials no longer hold any further notes from this meeting.

As you know, the FOI Act requires DH to disclose information in response to a request unless an exemption applies. There are two types of exemption in the FOI Act. The first type is an 'absolute' exemption, whereby disclosure may be withheld if the information falls within the terms of the exemption in question. The second type is 'qualified' exemption, whereby information can only be withheld if the balance of the public interest, in all the circumstances of the case, favours maintaining the exemption of the information.

Please let me know if you have any views about the question of disclosure of any information under this request, or matters that you wish us to take into consideration. All relevant factors will be taken into account when deciding whether disclosure of the information identified is required under the FOI Act, in particular where appropriate, the public interest considerations both in favour of and against disclosure.

I would be grateful if you could respond to me (copied to my colleague ██████████) by **Friday 22 March** with your comments on the accuracy of the attached note and any further points you may wish to make about the DH response to this FOI request. I am sorry for the short deadline but this will enable us to consider any points you wish to make and reach a decision within statutory the FOI Act deadline.

If we do not hear from you by this date, we will assume that you are content with the disclosure of the attached note. If, for any reason, it will be difficult to reply by the

deadline, please let [REDACTED] (tel 020 [REDACTED] know as soon as possible as I will be out of the office.

Yours sincerely

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

[REDACTED]/OIS/DOH

13/03/2013 14:11

To [REDACTED]@bat.com

cc [REDACTED]

bcc [REDACTED]

Subject Note of DH meeting with BAT 25 January

[REDACTED]
Thank you for coming to the meeting on 25 January.

With apologies for the delay, as agreed, please find attached a draft note of the meeting for your comment. Please let me know if you would like any changes made, or if you are content with this draft.



- Note of meeting with BAT 25 Jan.doc

Thanks

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

[REDACTED]/CQEG/DOH/G To [REDACTED]@bat.com
B
19/04/2013 14:04 cc [REDACTED]/OIS/DOH@DOH, [REDACTED]
/PH3/DOH/GB@DOH, [REDACTED]@bat.com
bcc
Subj Re: Note of DH meeting with BAT 25 January
ect

Dear [REDACTED]

Thank you for your comments on the note of the meeting. These have been considered by DH officials who attended the meeting and I include their comments in track changes in the attached document. Please let me have any further comments, by 30 April.

As you are aware, we have had a Freedom of Information request for this meeting note and we intend to disclose it once the final note is agreed. Your other email of 21 March, requests the following:

"That the following names are redacted from the note due to the fact that they will be deemed as personal information:

[REDACTED]

Section 40 of the FOI Act provides for personal data which would not otherwise be available in the public domain to be withheld. Within the civil service, personal data of all civil servants below the level of Senior Civil Service is redacted. The reasoning behind this is that senior civil servants and their equivalents have work related details already available in the public domain and are charged with the accountability which their roles entail.

Departmental guidance is that this approach also applies when releasing the personal information of those individuals outside of the civil service. Our understanding is that these are the job titles of the meeting attendees:

[REDACTED]

(Acting) Head of Corporate & Regulatory Affairs

[REDACTED]

Head of Regulatory Policy

We consider that both these roles would meet the criteria applied to senior civil servants and the names should not be redacted. Please let me have your views on this.

From: [REDACTED]@dh.gsi.gov.uk
To: [REDACTED]@bat.com
Cc: [REDACTED]@dh.gsi.gov.uk, [REDACTED]@dh.gsi.gov.uk,
[REDACTED]@DWP.GSI.GOV.UK, [REDACTED]@dh.gsi.gov.uk, [REDACTED]@dh.gsi.gov.uk
Date: 13/03/2013 14:12
Subject: Note of DH meeting with BAT 25 January

[REDACTED]

Thank you for coming to the meeting on 25 January.

With apologies for the delay, as agreed, please find attached a draft note of the meeting for your comment. Please let me know if you would like any changes made, or if you are content with this draft.

(See attached file: Note of meeting with BAT 25 Jan.doc)

Thanks

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

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 - Note of meeting with BAT 25 Jan.doc  - Note of meeting with BAT 25 Jan BAT revision.doc

[REDACTED]@bat.co
m

27/02/2013 14:46

To Balance of Competences/OIS/DOH@DOH

cc

Subj Call for evidence response from British American Tobacco
ect

Dear Sirs

Further to your call for evidence on the Governments review of the balance of competences between the EU and the UK, I now attach our British American Tobacco response for your consideration.

Please kindly confirm safe receipt of the same.

Yours faithfully

[REDACTED]

Head of Legal UK&I

Tel: 01296 [REDACTED]

Mob: [REDACTED]

British American Tobacco UK Limited

A company registered in England and Wales

Registered office: Oxford House, Oxford Road, Aylesbury, Bucks, HP21 8SZ

Registered number: 02346565

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2013-02-26 BAT response to DoH call for evidence.pdf

From: [REDACTED]@bat.com [mailto:[REDACTED]@bat.com]
Sent: 14 May 2013 12:47
To: [REDACTED]
Cc: [REDACTED]; [REDACTED]@bat.com; [REDACTED]
Subject: RE: Note of DH meeting with BAT 25 January

Dear [REDACTED]

Many thanks for your message. I confirm that I am happy with the text as you circulated yesterday.

Attached please also find evidence of OLAF endorsement of the Empty Pack Survey methodology as requested.

With best regards,

[REDACTED]
(Acting) Head of Corporate & Regulatory Affairs
British American Tobacco UK & Ireland

British American Tobacco UK Limited
A company registered in England and Wales
Registered office: Oxford House, Oxford Road, Aylesbury, Bucks, HP21 8SZ
Registered number: 02346565

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From: [REDACTED]
Sent: 30 May 2013 15:17
To: [REDACTED]@bat.com'
Subject: RE: FW: DH Freedom of Information Request

[REDACTED]

Thank you for your reply. I would just note that we do not redact business addresses as these are not regarded as personal information. On the redacting of names, you will recall from my colleague's earlier e-mail that FOI requests are considered on an individual basis and previous cases do not set a precedent.

On this occasion I will redact your name.

Yours sincerely

[REDACTED]

From: [REDACTED]@bat.com [mailto:[REDACTED]@bat.com]
Sent: 30 May 2013 14:09
To: [REDACTED]
Subject: Re: FW: DH Freedom of Information Request

Dear [REDACTED]

Many thanks for your email. I have no objections to the letter's release, on the assumption that you will as usual redact any names and addresses.

With my best regards,

[REDACTED]
(Acting) Head of Corporate and Regulatory Affairs.

Web: www.bat.com
Twitter: @BATPress
YouTube: www.youtube.com/welcometobat

British American Tobacco UK Limited
A company registered in England and Wales
Registered office: Oxford House, Oxford Road, Aylesbury, Bucks, HP21 8SZ
Registered number: 02346565

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From: [REDACTED]
Sent: 13 May 2013 14:15
To: [REDACTED]@bat.com'
Cc: [REDACTED]; [REDACTED]@bat.com'; [REDACTED]
Subject: RE: Note of DH meeting with BAT 25 January

Dear [REDACTED]

Thanks for your final comments, which we have added to the note with a couple of clarifications, as attached. We consider this to be the agreed note of the meeting.

With reference to the comment on the BAT Empty Pack Survey, we would be interested in any details of the OLAF endorsement of this survey that you referred to that you are able to share with us.

On the issue of redacting names, we have noted your comments and will redact the names requested on this occasion, you will see that I have added the job titles set out in my previous email. Please note that this redaction does not establish a precedent and all Freedom of Information requests are considered on an individual basis.

We are due to finalise the response to the FOI request to release the note of this meeting tomorrow and intend to release the attached note, including the redactions you request.

Thank you

[REDACTED]

Tobacco policy manager

[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1 8UG | tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

From: [REDACTED]@bat.com [mailto:[REDACTED]@bat.com]
Sent: 30 April 2013 16:38
To: [REDACTED]
Cc: [REDACTED]; [REDACTED]@bat.com; [REDACTED]
Subject: Re: Note of DH meeting with BAT 25 January

Dear [REDACTED]

Many thanks for your note below.

I attach the draft note of the meeting below with some final minor comments.

Main point is that we'd challenge DH's view that names do not need to be redacted. We consider it sufficient in the public interest that the note discloses that the meeting was with BAT, and that there is no public interest served in disclosing mine or [REDACTED] name in this instance. In addition, we are surprised at the DH's approach in drawing an analogy between senior civil servants on the one hand and senior members of private sector companies on the other. This given DH's previous approach to agree to redact names, including those of employees more senior than myself and [REDACTED]. We would have expected DH to continue with this approach as no indication was given that the DH was minded to change it.

With best regards,

[REDACTED]
(Acting) Head of Corporate & Regulatory Affairs UK & Ireland
British American Tobacco

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Registered number: 02346565

From: [REDACTED]@dh.gsi.gov.uk
To: [REDACTED]@bat.com
Cc: [REDACTED]@dh.gsi.gov.uk, [REDACTED]@dh.gsi.gov.uk, [REDACTED]@bat.com
Date: 19/04/2013 14:05
Subject: Re: Note of DH meeting with BAT 25 January

Dear [REDACTED]

Thank you for your comments on the note of the meeting. These have been considered by DH officials who attended the meeting and I include their comments in track changes in the attached document. Please let me have any further comments, by 30 April.

As you are aware, we have a had a Freedom of Information request for this meeting note and we intend to disclose it once the final note is agreed. Your other email of 21 March, requests the following:

"That the following names are redacted from the note due to the fact that they will be deemed as personal information:

[REDACTED]
[REDACTED]

Section 40 of the FOI Act provides for personal data which would not otherwise be available in the public domain to be withheld. Within the civil service, personal data of all civil servants below the level of Senior Civil Service is redacted. The reasoning behind this is that senior civil servants and their equivalents have work related details already available in the public

domain and are charged with the accountability which their roles entail.

Departmental guidance is that this approach also applies when releasing the personal information of those individuals outside of the civil service. Our understanding is that these are the job titles of the meeting attendees:

[REDACTED]
(Acting) Head of Corporate & Regulatory Affairs

[REDACTED]
Head of Regulatory Policy

We consider that both these roles would meet the criteria applied to senior civil servants and the names should not be redacted. Please let me have your views on this.

Ministry of Justice guidance advises that there *"may be good reason not to disclose the names of those in a public facing role if there is good reason to think that disclosure of that information could put someone at risk."*

Please let me know if you think that such a situation applies in this case.

(See attached file: Note of meeting with BAT 25 Jan BAT & DH revisions.doc)

yours sincerely

[REDACTED]
Tobacco policy manager
[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1 8UG |
tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

----- Forwarded by [REDACTED]/CQEG/DOH/GB on 19/04/2013 13:43 -----

[REDACTED]@bat.com

21/03/2013 18:16

[REDACTED]/OIS/DOH@DOH

To

[REDACTED]
[REDACTED]
[REDACTED]/CAT/DOH/GB@DOH, [REDACTED]@DWP.GSI.GOV.UK,
cc [REDACTED]@bat.com

Re: Note of DH meeting with BAT 25 January

Subject

Dear [REDACTED]

Many thanks for sharing the draft note of the meeting with me. Based on our records of the meeting, I have made some amendments to the note which I reattach and which I hope meets with your approval.

Best regards,

[REDACTED]
(Acting) Head of Corporate & Regulatory Affairs
British American Tobacco UK & Ireland

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Registered number: 02346565

From: [REDACTED]@dh.gsi.gov.uk
To: [REDACTED]@bat.com
Cc: [REDACTED]@dh.gsi.gov.uk, [REDACTED]@dh.gsi.gov.uk, [REDACTED]@dh.gsi.gov.uk,
[REDACTED]@DWP.GSI.GOV.UK, [REDACTED]@dh.gsi.gov.uk, [REDACTED]@dh.gsi.gov.uk
Date: 13/03/2013 14:12
Subject: Note of DH meeting with BAT 25 January

[REDACTED]
Thank you for coming to the meeting on 25 January.

With apologies for the delay, as agreed, please find attached a draft note of the meeting for your comment. Please let me know if you would like any changes made, or if you are content with this draft.

(See attached file: Note of meeting with BAT 25 Jan.doc)

Thanks

[REDACTED]
Tobacco Control Programme
Dept of Health

tel 020 [REDACTED]

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(See attached file: Note of meeting with BAT 25 Jan.doc)(See attached file: Note of meeting with BAT 25 Jan BAT revision.doc)

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From: [REDACTED]
Sent: 25 March 2013 12:09
To: [REDACTED]@bat.com
Cc: [REDACTED]
Subject: Re: DH Freedom of Information Request - Note of DH meeting with BAT 25 January

Dear [REDACTED]

Thank you for your email and for the comments on the note of the meeting on 25 January. We are considering these comments and will get back to you with any comments we have or to confirm the final note of the meeting.

[REDACTED]

[REDACTED]

Tobacco policy manager

[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1
8UG | tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

From: [REDACTED]

Sent: 10 April 2013 14:41

To: [REDACTED]@bat.com

Cc: [REDACTED]

Subject: Fw: DH Freedom of Information Request - Note of DH meeting with BAT 25 January

Dear [REDACTED]

As advised in my earlier email, DH officials who attended the meeting are considering your comments on the note of the meeting and I will send you their further comments for consideration.

As the note of the meeting is still in the process of being agreed, it is exempt from disclosure at this stage under section 22 of the FOI Act. The response to the FOI request mentioned below has been answered today and advises of this exemption and that we anticipate the note being finalised by the end of April. It would then be available for release for any future FOI request.

[REDACTED]

[REDACTED]

Tobacco policy manager

[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1 8UG | tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

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[REDACTED]@bat.com

21/03/2013 18:21

To [REDACTED]/OIS/DOH@DOH

cc [REDACTED]CQEG/DOH/GB [REDACTED]
[REDACTED]PH3/DOH/GB@DOH

Subject Re: DH Freedom of Information Request - Note of
DH meeting with BAT 25 January

Dear [REDACTED]

With reference to your note below regarding an FOI request, I would request the following before any information is released:

1. That the following names are redacted from the note due to the fact that they will be deemed as personal information:

[REDACTED]

[REDACTED]

2. That only the final, agreed version of the note of the meeting is released instead of your initial draft which you sent to me on 13 March. Earlier today, I have responded with my suggested amendments to this draft, which I now believe truly and fully reflects the discussion held.

I look forward to receiving your confirmation of the above.

With best regards,

[REDACTED]

(Acting) Head of Corporate & Regulatory Affairs

British American Tobacco UK & Ireland

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Registered number: 02346565

From: [REDACTED]
Sent: 19 April 2013 14:05
To: [REDACTED]@bat.com
Cc: [REDACTED]; [REDACTED]@bat.com
Subject: Re: Note of DH meeting with BAT 25 January

Dear [REDACTED]

Thank you for your comments on the note of the meeting. These have been considered by DH officials who attended the meeting and I include their comments in track changes in the attached document. Please let me have any further comments, by 30 April.

As you are aware, we have had a Freedom of Information request for this meeting note and we intend to disclose it once the final note is agreed. Your other email of 21 March, requests the following:

"That the following names are redacted from the note due to the fact that they will be deemed as personal information:

[REDACTED]

[REDACTED]

Section 40 of the FOI Act provides for personal data which would not otherwise be available in the public domain to be withheld. Within the civil service, personal data of all civil servants below the level of Senior Civil Service is redacted. The reasoning behind this is that senior civil servants and their equivalents have work related details already available in the public domain and are charged with the accountability which their roles entail.

Departmental guidance is that this approach also applies when releasing the personal information of those individuals outside of the civil service. Our understanding is that these are the job titles of the meeting attendees:

[REDACTED]

(Acting) Head of Corporate & Regulatory Affairs

[REDACTED]

Head of Regulatory Policy

We consider that both these roles would meet the criteria applied to senior civil servants and the names should not be redacted. Please let me have your views on this.

Ministry of Justice guidance advises that there *"may be good reason not to disclose the names of those in a public facing role if there is good reason to think that disclosure of that information could put someone at risk."*

Please let me know if you think that such a situation applies in this case.



Note of meeting
with BAT 25 Ja...

yours sincerely

[REDACTED]

Tobacco policy manager

[REDACTED]

Department of Health | Wellington House | 133-155 Waterloo Road | London SE1 8UG |
tel - 020 [REDACTED] | [REDACTED]@dh.gsi.gov.uk

----- Forwarded [REDACTED]/CQEG/DOH/GB on 19/04/2013 13:43 -----

From: [REDACTED]
Sent: 21 May 2013 13:28
To: [REDACTED]
Cc: [REDACTED]
Subject: DH Freedom of Information Request

Dear [REDACTED]

DH Freedom of Information Request

We have received a request for information under the Freedom of Information Act regarding the letter DH sent you on 22 January 2013, as attached. This letter was referred to in the note of the meeting on 25 January which was disclosed in response to an earlier FOI request.

As you know, the FOI Act requires DH to disclose information in response to a request unless an exemption applies. There are two types of exemption in the FOI Act. The first type is an 'absolute' exemption, whereby disclosure may be withheld if the information falls within the terms of the exemption in question. The second type is 'qualified' exemption, whereby information can only be withheld if the balance of the public interest, in all the circumstances of the case, favours maintaining the exemption of the information.

Please let me know if you have any views about the question of disclosure of any information under this request, or matters that you wish us to take into consideration. All relevant factors will be taken into account when deciding whether disclosure of the information identified is required under the FOI Act, in particular where appropriate, the public interest considerations both in favour of and against disclosure.

I would be grateful if you could respond to me by **28 May** to enable DH to consider any points you wish to make and reach a decision within statutory the FOI Act deadline.

If we do not hear from you by this date, we will assume that you are content with the disclosure of the attached note.

Yours sincerely

██████████

Tobacco Control Programme

Dept of Health

tel 020 ██████████