



Department  
of Energy &  
Climate Change

**Redacted**  
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**Department of Energy & Climate Change**  
3 Whitehall Place,  
London SW1A 2AW  
[www.decc.gov.uk](http://www.decc.gov.uk)

Our ref: FOI2014/28989

21 January 2015

Dear **Redacted**

**Re: Freedom of Information/Environmental Information Regulations  
Request**

Thank you for your email of 18 December 2014 where you asked for the following:

*"- The original scheduled timetable for Amber Rudd for her Lima trip - 5th - 15th December.*

*- Ed Davey's timetable for the same period - 5th - 15th December.*

*- Any Ed Davey correspondence, or correspondence on his behalf, with Amber Rudd, or her representatives, concerning the Lima conference between the dates of 01/11/2012 until the date at which this request is processed.*

*- Any Michael Gove correspondence, or correspondence on his behalf, with Amber Rudd, or her representatives or Ed Davey and his representatives concerning the Lima conference between the dates of 01/11/2012 until the date at which this request is processed.*

*- Any internal memos or briefings among Amber Rudd's staff concerning the fact she is no longer attending the Lima COP between 01/11/2012 until the date at which this request is processed.*



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- Were Amber Rudd's flights booked on behalf of her by a representative of the government in advance of the Lima COP and if so,
- What were the costs of the flights?
- Will the cost of the flights be refunded?"

Some of the information which you have requested constitutes environmental information for the purposes of the Environmental Information Regulations 2004 (EIRs). However, to the extent that the information requested is not environmental we have also considered your request under the Freedom of Information Act 2000 (FOIA). Accordingly, your request has been considered under the terms of the EIRs and FOIA.

The Department holds information on this part of your request:

- *The original scheduled timetable for Amber Rudd for her Lima trip - 5th - 15th December.*
- *Ed Davey's timetable for the same period - 5th - 15th December.*
- *Any Ed Davey correspondence, or correspondence on his behalf, with Amber Rudd, or her representatives, concerning the Lima conference between the dates of 01/11/2012 until the date at which this request is processed.*

However, this information is withheld under Regulation 12(4)(e) of the EIRs **and** Section 35(1)(b) of the FOIA.

Regulation 12(4)(e) provides an exception to the disclosure of internal communications. Schedules or timetables of meetings are regarded as briefing documents and are prepared by officials in the Department for ministers and senior officials. Any of such which we hold within the scope of this request take the form of internal communications and therefore exception 12(4)(e) applies to them.

We appreciate that there is a public interest in disclosing internal communications, as this enables the public to assess the quality of policy formulation, advice and guidance, and provides transparency in the decision making process making Government more accountable.

However, releasing internal communications would inhibit the ability of officials to provide Ministers and senior officials with free and frank advice and keep free and frank records of discussions between officials if there was a possibility that this advice could be disclosed at a later date. This would have a detrimental effect on the briefing process, leading civil servants to be less candid in their views. It would also affect policy development, as it would prove difficult in taking account of the views expressed by others if records were not kept. Given



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the live nature of the communications within the scope of the request, such outcomes would be likely to prejudice the conduct of public affairs, as this could result in less well-informed Ministers and senior officials.

Having considered the public interest, the Department has taken the decision to withhold the information requested.

Section 35(1)(b) exempts information if it relates to Ministerial communications and is subject to a public interest test. We recognise the general public interest in the disclosure of information and in particular in the discussions that take place between the Department's Ministers on policy issues. We recognise that there is a public interest in favour of disclosure so that the public can understand the interaction between Ministers, the disclosure of this information would bring greater transparency to the decision-making process and would help public understanding about the government policy on climate change.

In applying this exemption we have had to balance the public interest in withholding the information against the public interest in disclosure.

However, any public interest in the disclosure of such information must be balanced with the need to ensure that Ministers can exchange information in a manner which allows for the frank exchange of views and opinions.

In this case, we take the view that the overriding public interest is in the non-disclosure of this information. If Ministers feel inhibited from corresponding with one another on these matters, because of the risk of subsequent disclosure, the candid nature of discussions in relation to appointments will be diminished. This would have a detrimental effect on both the process of government and the quality of the decisions made at the highest level, undermining good government.

Having considered the public interest the Department's decision is to withhold the information.

The Department does not hold any information regarding these parts of your request:

*- Any Michael Gove correspondence, or correspondence on his behalf, with Amber Rudd, or her representatives or Ed Davey and his representatives concerning the Lima conference between the dates of 01/11/2012 until the date at which this request is processed.*

*- Any internal memos or briefings among Amber Rudd's staff concerning the fact she is no longer attending the Lima COP between 01/11/2012 until the date at which this request is processed.*



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For this aspect of your request:

- *Were Amber Rudd's flights booked on behalf of her by a representative of the government in advance of the Lima COP and if so,*
- *What were the costs of the flights?*
- *Will the cost of the flights be refunded?"*

All arrangements for ministerial travel are made by ministerial private offices. The cost of any travel not undertaken due to parliamentary duties is refunded accordingly, as was the case in this instance.

**Appeals procedure**

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Information Rights Unit ([foi@decc.gsi.gov.uk](mailto:foi@decc.gsi.gov.uk)).

Information Rights Unit (DECC Shared Service)  
Department for Business, Innovation & Skills  
1 Victoria Street  
London  
SW1H 0ET

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

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