



Department
of Energy &
Climate Change

Department of Energy & Climate Change

3 Whitehall Place,
London SW1A 2AW
www.decc.gov.uk

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Our Ref: FOI2014/15427

5 September 2014

Dear **Redacted**

RE: Freedom of Information Request

Thank you for your *email of 10 July 2014* where you requested the following information:

"I would like to make a request to the Department for Energy and Climate Change under the Freedom of Information Act 2000 for the following information:

- . The official diary of the Minister of State for Climate Change for 24 June 2013*
- . The official diary of the Minister of State for Energy for 24 June 2013*
- . The official diary of the Parliamentary Under Secretary of State for Energy and Climate Change for 24 June 2013"*

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

- know whether we hold the information you require
- be provided with that information (subject to any exemptions under the Act which may apply).



Department of Energy & Climate Change

The information you have requested is withheld under sections 35 and 40 of the Freedom of Information Act 2000.

35(d) – the operation of any Ministerial private office

The information you requested is being withheld as it is exempt under section 35(1)(d) of the FOIA. This exemption applies to information which relates to the operation of a ministerial private office. In applying this exemption we have had to balance the public interest in withholding the information against the public interest in disclosing the information. The factors we considered in deciding where the public interest lay are considered below.

We recognise that there is a general public interest in disclosure of such information and that greater transparency makes government more accountable to the electorate. In this case we recognised the public interest in ensuring that private offices operate efficiently, that private offices are used appropriately and in ensuring that ministers are provided with the policy and administrative support in order for them to do their jobs effectively. However, we take the view that the over-riding public interest is in the non-disclosure of this information. In reaching this decision we took into account the fact that the ministerial diary is an important aspect of how private office operates and therefore needs to be protected for confidential reasons. Ministers and officials need to be able to discuss practical and personal arrangements confidentially in order to conduct business effectively.

Section 40 – personal data

Some of this information is also being withheld as it is personal data exempt under section 40 of the FOI Act. Section 40(2) provides an absolute exemption (i.e. the public interest test does not apply) for information about identifiable individuals where this would breach the Data Protection Act 1998. Personal data of third parties can only be disclosed in accordance with the data protection principles. In particular, the first data protection principle requires that disclosure must be fair and lawful and must comply with one of the conditions in Schedule 2 of the Data Protection Act. We do not think that it is fair to release the names of junior members of staff or third parties and do not think that any of the relevant conditions apply.

For information, details of Ministers meetings with external organisations are published quarterly and can be found on the www.gov.uk website at the following link: <https://www.gov.uk/government/collections/ministers-meeting-with-external-organisations>

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 sent to the Information Rights Unit at:



Department
of Energy &
Climate Change

Information Rights Unit
Department for Business, Innovation & Skills
1 Victoria Street
London
SW1H 0ET
E-mail: foi.requests@bis.gsi.gov.uk

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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