



Ministry of Defence

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Our Reference: FOI2014/00751

11 February 2015

Dear [REDACTED]

Thank you for your email of 18 January 2015 requesting the following information:

I request the supply of the housing policy committees' minutes (ASG and APWG and any other meetings regarding accommodation policy held within the D SPPol area) from the period between December 2013 and the present.

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence, and I can confirm that information in scope of your request is held. Four sets of minutes are attached; for the ASG meetings held on 5 December 2013 and 19 June 2014, and for the APWG meetings held on 11 February 2014 and 6 November 2014. Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 1998. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Some information contained within a set of the attached minutes (APWG Minutes 6 November 2014) has been withheld under Section 42(1) (information subject to legal professional privilege). Section 42(1) has been applied because some of the information has been provided by lawyers in confidence as legal advice. The outcome of the balance of the public interest test concluded that whilst release would promote openness, transparency and a further understanding of government processes in decision making, in the particular circumstances of this case it was considered that disclosure of this information could lead to lawyers and clients being reluctant to accurately or permanently record information on which decisions were based. The principle of legal professional privilege is based on the need to protect a client's confidence that any communication with his or her legal advisor will be treated in confidence. It is important to safeguard openness in all communications between client and lawyer to ensure access to full and frank legal advice. The balance of the public interest therefore lay in withholding this information you desire.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the

MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.gov.uk>.

Yours Sincerely,

Defence Personnel Secretariat