



Rural Payments
Agency

Access to Information Helpdesk
Rural Payments Agency
North Gate House
Reading
RG1 1AF

T: 03000 200 301
Twitter: @Ruralpay
www.gov.uk/rpa

Tel: 0118 968 7656
Fax: 0118 968 7250
Email:
atihelpdesk@rpa.gsi.gov.uk

10 September 2015
Ref: RFI 3701

Dear [REDACTED]

Re: Freedom of Information – Information Request

Thank you for your request for information dated 22 July 2015 which has been dealt with under Freedom of Information Act (FoIA) 2000.

RPA can confirm that it holds the information you requested. However, following careful consideration, we regret to inform you that we are unable to disclose information regarding enforcement visits made to the company you identified; as the information is exempt under section 31(1)(g); read together with, section 31(2)(a) ('Law enforcement').

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

We recognise that there is a public interest in information about the activities of regulatory bodies as it is in the public interest to facilitate the accountability and transparency of public authorities for decisions taken by them, and for their spending of public money. Such transparency assists individuals in understanding decisions made by public authorities affecting their lives and, in some cases, in challenging those decisions.

Conversely, there is also an acknowledged strong public interest in a regulatory body being able to perform its regulatory functions (eg conduct enforcement visits and investigations, and consider challenges to its (initial) findings) in a "safe space", so proper consideration can be given to the discharge of these statutory regulatory functions.

It is also likely that disclosure of the information requested would impede its relevant regulatory functions. Such functions need not solely relate to the case (company) in question, but could also relate to its discharge of such functions generally in the future. One specific example would be the reduced likelihood that the RPA would receive co-operation from third parties to aid it in the exercise of such functions.

Therefore, in the particular circumstances of this case, with regard to 'Law Enforcement', the public interest in withholding the information outweighs the public interest in disclosure.

RPA would like to make clear that if a business was discovered not to be complying with the marketing standard regulations it would take action, including prosecutions; if this was found to be appropriate.

If you are not happy with the way we have handled your request, you can ask for an internal review. These requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: Access to Information, Rural Payments Agency, North Gate House, 21-23 Valpy Street, Reading, RG1 1AF.

Yours sincerely

Access to Information Helpdesk