



Department
for Environment
Food & Rural Affairs

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Our ref: FOI2018/22693
21 November 2018

Dear _____,

REQUEST FOR INFORMATION: Minister and SoS correspondence with MSPs

Thank you for your request for information of 24 October about Ministerial correspondence with MSPs. We have handled your request under the Freedom of Information Act 2000 (FOIA).

For reference, your request is below:

“All correspondence (sent or received) between Ministers/Secretaries of State of your department and the following individuals:

- *Alexander Burnett MSP*
- *Donald Cameron MSP*
- *Peter Chapman MSP*
- *Rachael Hamilton MSP*
- *Edward Mountain MSP*
- *Finlay Carson MSP*
- *John Scott MSP”*

Having conducted a search of our records, we enclose a copy of the information you requested:

- Correspondence between Rachael Hamilton MSP and Defra Ministers;
- Correspondence between Peter Chapman MSP and Defra Ministers;
- An invitation from Edward Mountain MSP to the Secretary of State, to attend an evidence session of the Scottish Government’s Rural Economy and Connectivity Committee.

We have also decided that the names of people should be withheld under sections 40(2) and 40(3A) of the FOIA as the information constitutes personal data relating to persons other than you. These sections exempt personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would breach any of the data protection principles in Article 5(1) of the General Data Protection Regulation (GDPR).



We consider that disclosure of this information is likely to breach the first data protection principle, which provides that personal data must be processed lawfully, fairly, and in a transparent manner. Disclosure would not constitute 'fair' processing of the personal data because the people concerned would not reasonably have expected their names and contact details to be disclosed in relation to this request for information.

We have found no correspondence involving the other MSPs you requested. Some correspondence that is addressed to the Secretary of State is then responded to by a Minister with the most relevant portfolio, as you can see in the responses. Please note that the invitation from Edward Mountain was accepted in separate correspondence by the department and that the Secretary of State thus attended a Committee session on the 27 June 2018, the details of which can be found at the following website:

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/99825.aspx>

Information disclosed in response to this FOIA request is releasable to the public. In keeping with the spirit and effect of the FOIA and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on [GOV.UK](http://gov.uk), together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

We attach Annex A, explaining the copyright that applies to the information being released to you, and Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact the address below.

Yours sincerely,

Information Rights Team

InformationRequests@defra.gsi.gov.uk

Annex A

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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Annex B

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Head of Information Rights, Seacole Building, 2 Marsham Street, London, SW1P 4DF (email: InformationRequests@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted Defra's own complaints procedure. The ICO can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF