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Our ref: FOI2019/02185
1 March 2019

Dear

REQUEST FOR INFORMATION: staff and spend preparations for leaving the European Union

Thank you for your request for information of 1st February about staff and spend preparations for leaving the European Union. We have handled your request under the Freedom of Information Act 2000 (FOIA).

The information you requested is set out in bold below, with our response to each request immediately following:

- 1. The amount spent by the Department on (a) all preparations for leaving the European Union and (b) preparations for leaving the European Union with No Deal. The time range I am interested in is from the 24th June 2016 until 29th January 2019.**

HM Treasury has allocated over £4.2 billion of additional funding to departments and the Devolved Administrations to support ongoing EU exit preparations in all scenarios so far. This breaks down as:

- £412m of additional funding over the spending review period for the Department for Exiting the European Union, Department for International Trade and the Foreign & Commonwealth Office at Autumn Statement 2016.
- £286m of additional funding was identified for 2017/18, a full breakdown of which can be found in Supplementary Estimates 17/18: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/679738/PU2137_Supplementary_estimates_web.pdf
- Over £1.5bn of additional funding for 18/19. A full breakdown of the allocations can be found in the Chief Secretary's Written Ministerial Statement, HCWS540, laid on the 13th March, at <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-03-13/HCWS540>.
- Over £2bn of additional funding for 19/20. A full breakdown of the allocations can be found in the Chief Secretary's Written Ministerial Statement, HCWS1205, laid on the 18th December <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-12-18/HCWS1205>

The remainder of the information you have requested for (a) is being withheld as it falls under the exemption in section 35(1)(a) of the FOIA, which provides that information held by a government department is exempt from disclosure if it relates to the formulation and development of government policy.

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

We recognise that there is a public interest in openness of government and helping the public to understand how much Defra is spending on EU Exit preparations. However, there is also a strong public interest in withholding the information requested at this moment in time. The negotiations with the EU are ongoing, with multiple possible outcomes that may each affect expenditure on EU Exit programmes to varying degrees. There is a strong public interest in protecting information which may relate to, or inform, the government's negotiating positions. Providing details of the amount Defra has spent so far for EU exit preparations may create speculation and misinformation with regards to the extent to which Defra and the UK Government are prepared for EU exit. Further, this may set a precedent where Defra is asked to provide regular updates on its expenditure on EU exit preparations and these updates could potentially indicate changes in policy. It is important that public authorities have a safe space in which officials and ministers can operate and discuss policy options and associated expenditure in private.

Therefore, we have concluded that, in all the circumstances of the case, the information you have requested the amount spent on EU Exit preparations should be withheld.

We do not hold separate records for expenditure on preparations under a 'no-deal' scenario and therefore the information for (b) is not held.

2. The number of (a) staff moved from other DEFRA agencies or bodies to the Department and (b) staff moved from other parts of the Civil Service to the Department, in order to prepare for leaving the European Union. The time range I am interested in is from the 24th June 2016 until 29th January 2019.

Over 80% of Defra's agenda is affected by the UK's departure from the European Union and as a result many roles across the Defra group are now supporting EU exit-related work, either directly or indirectly.

As at 31 December 2018 Defra group has recruited over 2700 staff, including fixed term appointments, interims and staff redeployed from elsewhere in the group. Over 2400 are already in post with the remainder working through pre-employment processes.

Of the additional new staff c. 400 of these are from Defra's agencies/arm's length bodies and have moved in to EU exit posts in Defra Group. C.320 people have joined from other government departments. These individuals have secured roles through a number of means including recruitment, temporary moves, re-prioritisation secondments and loans.

We have used end of December data as our January position is yet to be published, and is due to be released by Cabinet Office after 28 February 2019. The information for January 2019 is therefore being withheld as it falls under the exemption at Section 22 of the FOIA, which relates to information that is intended for future publication.

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

We recognise that there is a public interest in disclosure of information concerning staffing in government, and Defra wishes to be transparent about its staffing levels to allow for public scrutiny.

On the other hand, there is a strong public interest in withholding the information. This is because we need time to collate the data from across the Defra Group and it needs to be checked for accuracy. There is also a well-established process for publishing this data and we intend to continue doing this.

Therefore, we have concluded that in all the circumstances of the case, the information should be withheld.

3. The number of staff DEFRA employed in the Department on the 24th June 2016 and the number of staff DEFRA employed on the 29th January 2019.

Due to the way this information is captured, we are not able to provide the information as at the dates you have requested. The information below is at the last working day of the month: 30 June 2016 and 31 January 2019.

The number of staff employed in Defra is already publically available through the Monthly Workforce Management Information Data. Please see the link below for the information relating to June 2016: <https://data.gov.uk/dataset/9fb1ed1f-00c9-421b-ab18-c30c14559681/workforce-management-information-defra>.

As stated above, the figures for January 2019 have not yet been published, but are due to be released by Cabinet Office after 28 February 2019. The data can be accessed using the same link.

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](https://www.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 Nick Teall, Head of Information Rights, Area 4a, Nobel House, 17 Smith Square, London, SW1P 3JR (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