

## Freedom of Information Act 2000

Thank you for your enquiry of 6 April 2021, which we have considered under the terms of the Freedom of Information Act 2000 (the FOI Act).

We are sending you an updated version of this outcome letter to reflect the fact that, following further searches, some additional information within the scope of your request has been found. We apologise for the original oversight.

You asked for the following information:

*“Since and including March 1 2020:  
Communications between Greensill and the following:  
The Chancellor, the Financial Secretary to the Treasury, the Permanent Secretary and the Second Permanent Secretary, including text messages, emails, telephone calls, whatsapp messages and letters.  
Also to include records of any meetings between Greensill and the above ministers and officials.  
Please identify those representing Greensill in these communications and meetings.”*

Following a search of our records, we can confirm that HM Treasury does hold information within the scope of your request.

HM Treasury has released a range of information relating to this matter both proactively and in response to FOI requests. In the interests of transparency, we can confirm that David Cameron reached out informally by telephone to the Chancellor, the Economic Secretary, the Financial Secretary and the Permanent Secretary on the matter of Greensill’s access to the CCFF. The matter was referred to the relevant officials and, following appropriate consultations as outlined in HM Treasury’s published materials on this issue, the request from Greensill regarding a change to the Covid Corporate Finance Facility for supply chain finance providers was turned down. During the process this was communicated to Greensill by officials and, in parallel, by the Chancellor and the Economic Secretary to David Cameron, with guidance from officials.

The Chancellor has also recently written to Anneliese Dodds, setting out a number of details in relation to HM Treasury’s interactions with Greensill. This letter can be found here:

<https://www.gov.uk/government/publications/a-letter-from-the-chancellor-in-response-to-anneliese-dodds>

Some of the information in scope of your request has recently been released in response to a previous FOI request. To the extent that the information is now published and reasonably accessible to you, section 21 of the FOI Act does not require us to separately provide that information to you. Instead, I have provided links to where that information can be found:

<https://www.gov.uk/government/publications/hm-treasury-greensill-meetings>

<https://www.gov.uk/government/publications/response-to-a-freedom-of-information-request-on-greensill>

Redacted versions of the remaining information in scope of your request have been shared alongside letter.

As noted above, following our initial response to your request, we have found further information within the scope of your request. This is now included in the document shared with you.

Some redactions have been made to these documents under the FOI Act, as set out below:

**Section 35(1)(a) - formulation or development of government policy:** this is a qualified exemption and, as such, we considered the balance of public interest in disclosure and non-disclosure of the information.

We recognise there is an inherent public interest in transparency and accountability of public authorities and that there is a broad public interest in furthering understanding of the issues with which public authorities deal. Balanced against this is the public interest in protecting the integrity of the policy making process and the Government's ability to freely discuss policies with complex trade-offs is not hindered. We consider that the balance of the public interest falls to protecting this information given its release would likely have a detrimental impact on the ongoing formulation and development of policy.

#### **Section 41(1) – now section 21**

Insofar as information previously withheld under section 41(1) has since been placed into the public domain by the Treasury Select Committee, that information is now exempt under section 21 of the FOI Act, being information reasonably accessible to an applicant. The information can be accessed via the link below:

<https://committees.parliament.uk/work/1193/lessons-from-greensill-capital/publications/3/correspondence/>

**Section 43(2) – prejudice to commercial interests:** Section 43(2) allows us to withhold information where disclosure would be likely to prejudice commercial interests. This is a qualified exemption and we have set out below our public interest balance considerations in release and non-release of the information.

We recognise that there is a public interest in the basis of the Government's dealings with industry participants and how those interactions take place. We are aware that such transparency can inform public debate on the issues dealt with by the Treasury.

Balanced against this, as an economics and finance ministry HM Treasury relies on information provided by a range of stakeholders to better understand the impact of economic policy proposals on different sectors. Engagement and feedback with representatives of different industries is central to economic policy decision making. We consider that the disclosure of information that is likely to have a negative impact on the

commercial interests of particular companies would be likely to inhibit their future engagement with the department. Given the public interest balance considerations set out above, we conclude that the public interest in withholding the information outweighs the public interest in disclosing it.

**Section 40(2) - third party personal data:** Section 40(2) of the FOI Act, by virtue of section 40(3)(a)(i) provides an absolute exemption for third party personal data, where disclosure would contravene any of the data protection principles set out in Article 5 of the General Data Protection Regulation. The first data protection principle requires the disclosure of third-party personal data to be lawful, fair and transparent. We believe that releasing the information would breach the first data protection principle, since it would be unlawful and unfair to release the information.

**Section 29(1)(a) - prejudice to UK's economic interests or the financial interests of the government:** this exemption is engaged, as we consider that disclosure would be likely to prejudice the economic interests of the United Kingdom.

This is a qualified exemption and we are therefore required to balance the public interest between disclosure and non-disclosure.

We recognise that there is an inherent public interest in transparency and accountability of public authorities. We also recognise the broad public interest in furthering public understanding of the issues with which public authorities deal, including relating to the UK's Financial Services sector. There is a clear public interest in the work of government departments being transparent and open to scrutiny to increase diligence.

However, we consider release of the information would be detrimental to the government's ability to protect the economic and financial interests of the UK as it may impact future engagement by the private sector on policy initiatives, which would undermine the ability of the government to put in place support schemes such as CCFF.

We therefore consider that the public interest lies decisively in favour of withholding this information.

If you have any queries about this letter, please contact us. Please quote the reference number above in any future communications.

Yours sincerely

Information Rights Unit

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