



Medicines & Healthcare products  
Regulatory Agency

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[REDACTED]  
[REDACTED]

23 April 2024

**MHRA reference: FOI 24/294**

Dear [REDACTED]

Thank you for your information request, which we received on 25 March 2024. You asked for:

**Your request**

*I was hoping for a copy of the March CHM meeting minutes. I see many available from previous months and years but don't yet see the March minutes. Would you be able to share a copy?*

**Our response**

We have dealt with your request under the Freedom of Information Act 2000 (FOIA). We confirm that we hold the information you have asked for; however, we consider that the information is exempt from disclosure.

Under section 17(1) of the FOIA, when we refuse a request, we must specify the relevant exemption and explain why the exemption applies.

We consider that the requested information is exempt under section s22 – this is because the information you have asked for is intended for future publication.

In order to apply the exemption under Section 22(1), the FOIA states that the following points must be met:

**Section 22**

(1) Information is exempt information if—



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- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
- (b) the information was already held with a view to such publication at the time when the request for information was made, and
- (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

We are satisfied all three parts of this exemption are met in this case. The intent to publish predates your request for information and the information you asked for will be published after the minutes are agreed at the next CHM meeting. The scheduled March CHM meeting minutes are likely to be agreed at the May 2024 CHM meeting and then published from June 2024.

Part (c) requires consideration of whether it is reasonable in all circumstances that the information is withheld from disclosure until the date of publication. When doing so, a public authority should consider whether or not it is sensible, in line with accepted practices and fair to all concerned.

In this case, we consider it is reasonable because publication of the minutes you have asked for is part of an already established schedule of proactive publication.<sup>1</sup>

Section 22 is a qualified exemption and therefore a public interest test must also be applied. This means that even if it is reasonable to withhold the information under section 22, the public interest in disclosure must be considered to determine if this outweighs the public interest in maintaining the exemption.

We have considered the public interest in disclosure or maintaining the exemption in this case. A factor in favour of disclosure is the general principle in transparency, to provide for earlier release of this particular information. We also understand there is a public interest in making the information available for public scrutiny. However, there is a clear intent to publish this information as part of our long-standing proactive publications, and there is a strong public interest in maintaining this schedule for making this information available to the wider public; responding to individual requests on an ad hoc basis while the requested information forms part of this scheduled approach to wider publication creates an additional burden for staff and impacts on the existing approach to the process.

We therefore consider that section 22(1) applies to the requested information at this time.

This concludes our response to your request.

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<sup>1</sup> The minutes are published here:  
<https://app.box.com/s/jv487awvqzsrdbl0o34h9gg350ceyd4>



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If you have a query about this response, please contact us at [foi.request@mhra.gov.uk](mailto:foi.request@mhra.gov.uk)

Please remember to quote the reference number at the top of this letter in any future communications. Details of your appeal rights are below.

Yours sincerely,

**MHRA Customer Experience Centre  
Medicines and Healthcare products Regulatory Agency**

### **Appeal rights**

If you are dissatisfied with the handling of your request, you can ask us to conduct an internal review. Internal review requests should be submitted within two months of the date you receive this response and addressed to: [foi.request@mhra.gov.uk](mailto:foi.request@mhra.gov.uk)

If you remain dissatisfied with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Please bear in mind that the Information Commissioner will not normally review our handling of a request unless the requester has first asked us to conduct an internal review.

The Information Commissioner can be contacted through their online webform at: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Or in writing to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

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