

REASONS FOR NOT PROVIDING INFORMATION

Exemption under section 38(1)(b) 'Personal Information'

An exemption under section 38(1) (b) 'Personal Information' of FOISA applies to some of the information you have requested. This has been applied to names, email addresses, contact numbers, pronouns and salutations where necessary.

This exemption is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption.

Exemption under section 28 'Relations within the United Kingdom'

An exemption under section 28 'Relations within the United Kingdom' of FOISA applies to some of the information you have requested. This applies to any information relating to the relationship between the Scottish Government and the UK Government.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is some public interest in release because there would be greater transparency of information. However, this is outweighed by the public interest in maintaining confidential relations between the Scottish and UK governments, in this case information pertaining to UK Government policy.

Exemption under section 29 'Formulation of Scottish Administration policy'

An exemption under section 29 'Formulation of Scottish Administration policy' of FOISA applies to some of the information you have requested. This applies to information relating to the formulation or development of policy by the Scottish Government. The exemption applies in this case as the information relates to the early stages of the development of Scottish Government policy which is to be the subject of future public consultation.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is some public interest in release because there would be greater transparency of information. However, this is outweighed by the need to allow a confidential space for the development and discussion of policy under development. This information will be the subject of future public consultation. The information that has been redacted has related to initial policy discussions and research, and is therefore not ready to be shared publicly.