

14 June 2023

IC-237083-Y5Z3

Request

On 6 June 2023 you requested the following:

"I am trying to find the latest versions of the minutes for Operation Linden, the only ones I can find on your website are from 2018, 2019 and 2021?"

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Our response

We can confirm that we hold information relating to the minutes of meetings regarding Operation Linden. We do therefore hold information which falls within the scope of your request, and can confirm that this information is now available on [our website](#). The minutes relate to meetings held in February 2022, June 2022, and February 2023 (no meeting took place between June 2022 and February 2023).

As the information you requested was clearly intended for publication at the time you made your request it is technically exempt from disclosure under section 22 of the FOIA which I have explained further below. However, as the information is now available I hope it is helpful.

Section 22 of the FOIA

The information has been withheld under section 22 of the FOIA as this is information intended for future publication. As you will be aware from the information on our website, we proactively publish Operation Linden minutes.

Section 22 of the Act states that information is exempt from disclosure in response to an information request if:

"(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)."

The exemption at section 22 is qualified by the public interest test, meaning that the information should be disclosed if the public interest in the maintenance of the exemption does not outweigh the public interest in disclosure.

In this case, the public interest factors in favour of disclosing the information are:

- to promote openness by providing information about our regulation of the legislation we oversee.

The factors in favour of maintaining the exemption are:

- The ICO has a history of publishing this information on a regular basis and has committed to publishing the requested information in the near future.
- To prepare this information for disclosure earlier than our intended date of publication in response to individual requests we receive would not be an efficient use of resources when we intend to publish this information in due course.
- Earlier disclosure is not necessary to satisfy any pressing public interest at the present time.

Having considered the public interest arguments, we consider it reasonable in the circumstances to withhold this information under section 22 of the FOIA.

This concludes our response.

Next steps

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint through our website](#).

Your information

Our [Privacy notice](#) explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found [here](#).

Yours sincerely



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