

30 January 2024

IC-278281-B1P9

Review of response to information request

I write further to your email of 15 January in which you requested a review of the handling of your request dealt with under the reference number IC-278281-B1P9.

Section 45 of the Freedom of Information Act 2000 (FOIA) requires the publication of a code of practice, designed to assist public authorities handle requests under the FOIA.

This guide recommends that public authorities put in place an internal review process for FOIA responses, which our guide suggests should be triggered whenever a requester expresses dissatisfaction with the outcome of a request they have made.

As a result we have conducted an internal review of our response to your information request which was handled under the reference number IC-278281-B1P9. I am a Senior Information Access Officer in the Information Access Team and I can confirm that I have had no prior involvement in the handling of this request.

Request and response

On 15 January we received a request from you which sought the following information:

"please consider this a FOI query. Can you provide information related to the @cabinetofficeuk recovery plan you created? I'm interested in contents, ancillary documents, if it restricts enforcement mechanisms, etc."

On 15 January we responded, advising that we did hold the information that you requested but that it was withheld under s.31 FOIA.

Review

In your request for internal review you state that you believe that the Public Interest Test under s.31 that we carried out in our response to your request was insufficient and that you believe that the public interest favours disclosure.

I have reviewed our Public Interest Test and am of the view that that we did carry out a thorough evaluation of the factors for and against disclosure. Although there is a public interest in our work to improve the Cabinet Office's compliance with the FOIA, this does not outweigh our need to be able to work with public authorities in this way, in a safe space in which information can be shared with us freely and in which we can provide advice without fear that this information may be disclosed to the wider world. This is particularly important while the recovery plan is still live.

I have considered the points that you have made about improving accountability through transparency, however am of the view that the information that the ICO does publish in its management scorecard, as linked in the previous request, is sufficient to meet this need, without necessitating disclosure of the full recovery plan at this stage.

I therefore advise that we have not upheld your internal review in this instance.

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](#) on our website.

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 sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



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