

GREATER LONDON AUTHORITY

[REDACTED]
(By email)

Our Ref: MGLA161216-6775
10 March 2017

Dear [REDACTED]

Thank you for your request for information which the GLA received on 15 December 2016. Your request has been dealt with under the Freedom of Information Act 2000.

You asked for:

all correspondence between the mayor's office and Chris Grayling between May 2008 and May 2016. This can include emails, letters or any other form of written communication.

Some of the information within scope of your request is being withheld as it falls under section 43 (2) of the Act. Section 43(2) of the Act provides that information can be withheld from release if its release would, or would be likely to prejudice the commercial interests of any person (including the authority holding it).

Some of the requested information includes information relating to constituents and is personal data which is defined by s.1 (1) of the Data Protection Act 1998 to mean data which relates to a living individual who can be identified from that data. It is considered that disclosure of this information would contravene the first data protection principle which states that "*Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –*

*(a) at least one of the conditions in Schedule 2 is met, and
(b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met."*

It is considered that none of the conditions allow the processing of the information apply in this case as the subjects have not consented to the use of their data for an alternative purpose (namely disclosure under the Freedom of Information Act).

Section 43 (2) is a qualified exemption. The Act provides that a public authority must weigh the public interest in maintaining the exemption against the public interest in disclosure. It is considered that disclosure would provide transparency of discussions relating to potential costs

savings and the integrity of the decision making procedures involved in ensuring the public sector gets value for money.

However, release of information contained within some of the requested correspondence would be likely to prejudice the commercial interests of the Greater London Authority and Transport for London. Disclosure would discourage senior officials from participating in decision making in future. Having less information would impact public authorities' decision making processes and ability to effectively facilitate cost cutting exercises - which would clearly not be in the public interest.

The GLA is providing a sufficient amount of information in response to this request to allow for scrutiny of high level communications and decision making, however disclosure of information clearly marked as confidential would undermine the safe space available to senior officials to explore often unpopular decisions and cost cutting exercises. On that basis we conclude that the public interest in maintaining the exemption outweighs the public interest in disclosure at this time.

If you have any further questions relating to this matter, please contact me, quoting the reference at the top of this letter.

Yours sincerely

Paul Robinson
Information Governance Officer

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>