The Electoral Commission

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Sent via email: [redacted]

30 November 2020

Dear [redacted]

Internal review of FOI request FOI 128-20

Thank you for your email to FOI@electoralcommssion.org.uk of 4 November 2020 seeking an internal review of our decision not to release internal correspondence we hold, in response to your request for information, reference number **FOI 128-20**.

Outcome of your internal review:

Your request was to view internal correspondence whereby the decision not to take action was made in relation to an investigation into an impermissible donation.

While we do hold information you requested, after considering the nature of the information, we did not release it considering it to be exempt from disclosure under sections 30 and 31 of the Freedom of Information Act 2000.

For this internal review I have considered the application of those sections of the Act to the information we hold. I have found that the disclosure of the information you requested would prejudice the exercise of the Commission's statutory functions and its ability to conduct investigations such as the one in question.

I have also considered the application of the public interest test to these exemptions. Generally it is accepted that there is a public interest in being open and transparent about in the way in which the Commission carries out its investigatory work. However, in this case I have found that there is a stronger public interest in ensuring the Commission is able to confidentially gather information to support its inquiries on an ongoing basis.

The release of this information would likely reduce the willingness of individuals and entities to cooperate with the Commission in the future, thereby reducing its ability to deliver upon its functions.

I therefore uphold the application of these exemptions and the decision to withhold the information we hold in relation to your request.

I have completed this review because I am a member of the Electoral Commission's management team and I was not previously involved in the original response to your request.

If you remain dissatisfied with our response, you can appeal to the Information Commissioner at: The ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. For further details about the appeal procedure please visit www.ico.org.uk.

Yours sincerely

Melanie Davidson

Head of Support and Improvement

The Electoral Commission