From: FOI
To: [redacted]
Subject: FOI 142/18 - Timetable or plan for holding a UK wide referendum - Response
Date: 25 September 2018 16:49:18

Dear [redacted],

Our Ref: FOI 142/18

Thank you for your email to the Electoral Commission dated **29 August 2018.**

The Commission aims to respond to requests for information promptly and [has done so within the statutory timeframe of twenty working days.

Your request is in bold below followed by our response.

Under the Freedom of Information Act I would like to request the following information:

- **Any timetable or plan for holding a UK-wide referendum similar to the 2016 EU referendum. In particular, I would like any information held by the Electoral Commission regarding another referendum on EU membership.**

By timetable or plan I mean any document, blueprint or template setting out a proposed or expected series of actions the Commission would undertake in the event that the Government or Parliament decided to conduct a UK-wide referendum.

Our response is as follows:

The information you have requested is exempt from disclosure under Section 36 of the FOI Act 2000.

Section 36 of the FOI Act

We consider that section 36(2)(b)(ii) and (2)(c) of FOIA is engaged in relation to the requested information. Section 36 provides that information is exempt if in the reasonable opinion of the qualified person, disclosure of the information would, or would be likely to, prejudice the effective conduct of public affairs.

The information you have requested relates solely to a document created for **internal use only**. The document named “Referendum blueprint: A manual for Commission staff”. “Its purpose is to provide a consolidated record of our experience that can be used when any referendum is called, so that those experiences can be built upon and inform future plans and actions.” This was last updated in 2017 based on our experience of the EU referendum.

The document contains a consolidated record of our experience. Views of our staff are provided in confidence and taken into consideration when populating the document. Views are provided in confidence in the hopes that staff would provide honest and real feedback. Section 36(2)(b)(ii) applies where in the reasonable

opinion of a qualified person, disclosure of the information would, or would be likely to, inhibit the free and frank exchange of views for the purposes of deliberation.
The Commission's qualified person for the purpose of this request is our Chief Executive, Claire Bassett, and she has decided that the exemption applies in this case. This is because the information within the document was provided in confidence by our staff to ensure the free and frank exchange of views for the purposes of deliberation.

Exemptions under s.36 of FOIA are subject to the public interest test, where information must be disclosed if the public interest in disclosure outweighs the public interest in maintaining the exemption. On balance, the qualified person has confirmed that the public interest falls in favour of not releasing this information.

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority, but in some circumstances we cannot responsibly release requested information, and we ask for your understanding in this regard.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at: http://www.electoralcommission.org.uk/about-us/freedom-of-information-requests/how-do-I-make-an-foi-request

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: https://ico.org.uk/

Yours sincerely,

[redacted]
Access to Information Officer (FOI and DPA)

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