

**HOUSE OF LORDS
APPOINTMENTS COMMISSION**

Room G/38, 1 Horse Guards Road, London SW1A 2HQ

General Enquiries: 07872 828699

Internet: <http://lordsappointments.independent.gov.uk>

E-mail: enquiry@lordsappointments.gov.uk

Ref: HOLAC FOI IR2024/02

21 May 2024

By email: [REDACTED]

Cc: [REDACTED]

Dear [REDACTED]

Internal Review Reference: HOLAC FOI IR2024/02

(Original Case Reference: HOLAC FOI FOI2024/8)

REVIEW OF REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000

Thank you for your email of 1 May 2024. You asked for an internal review of our response to your request for information on 15 April 2024. In your original request you asked:

I note that it has since been reported that Mark Littlewood was nominated for a peerage but that HOLAC recommended against it and that he was not, in fact made a peer.

I now request, pursuant to the FOI Act 2000, copies of all information held by HOLAC on and occasioned by Mr Littlewood's nomination. Obviously I would expect you to redact any personal data that should properly be excluded from disclosure under the DPA 2018.

I have carefully reviewed the handling of your original request and I consider that the exemptions at section 37(2) of the Freedom of Information Act, which refers to the duty to confirm or deny whether information is held if it would otherwise be exempt (in this instance) under Section 37(1)(b), where the information refers to the conferral by the Crown of any honour or dignity, were properly applied with regards to the request for information in relation to a potential nomination for Mark Littlewood. I

believe that the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in confirming or denying whether we hold the information requested. I have therefore concluded that I should uphold the decision given in our letter of 1 May 2024.

In order for the House of Lords Appointments Commission to discharge the role given to it effectively, the Commission must treat any information which may be provided, for any potential nominees, in the strictest confidence. I consider that confirming whether or not we hold the requested information would in itself disclose information that would otherwise be exempt under section 37(1)(b). It is unlikely that individuals would be willing to put their names forward to the Commission for consideration if they could not rely on the Commission's confidentiality or if they felt that their personal information would be put in the public domain.

I should also note that guidance issued by the Information Commissioner's Office states that the public interest here means the public good, not what is of interest to the public, and not the private interests of the requester¹.

I note in your request for an internal review that you have asked for contact details for Alison Bennett, Secretary to the Commission, also noting that she appears to work for the Cabinet Office. I should explain that the House of Lords Appointments Commission is supported by the Honours and Appointments Secretariat within the Cabinet Office. This information is set out in the Commission's Annual Reports, published on their website². All Commission business is conducted through the House of Lords Appointments Commission inbox using the following email address: enquiry@lordsappointments.gov.uk. Please direct your query for the attention of Alison Bennett, should you wish to contact her further.

If you are unhappy with the handling of your request for information you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

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<https://ico.org.uk/for-organisations/foi/freedom-of-information-and-environmental-information-regulations/the-public-interest-test/#:~:text=The%20public%20interest%20here%20means,holding%20public%20authorities%20to%20account>

² <https://lordsappointments.independent.gov.uk/commissionreports>

Yours sincerely,



Secretariat to the House of Lords Appointments Commission