

DE-2024-0057/0058 – Public Interest Test

Section 35(1)(a) covers any information relating to the formulation and development of government policy. Public interest arguments should focus on potential damage to policymaking from the content of the specific information and the timing of the request. Arguments will be strongest when there is a live policy process to protect.

Factors for disclosure	<i>Factors for withholding</i>
<ul style="list-style-type: none"> • The right of public to have access to information • CCEA’s organisational structure has attracted press coverage in recent years 	<ul style="list-style-type: none"> • DE, in concert with the Department for the Economy (DfE), is in the early stages of progressing a full organisational review of CCEA. To release details of discussions between CCEA and DE on its decision-making processes may undermine the effectiveness of said review • DE has confirmed with DfE that a Section 35 (1) (a) exemption should apply to its report on the resourcing of CCEA Regulation • CCEA is still in the process of returning to the pre-pandemic standard, and releasing risk assessments and alternative options detailed in ministerial submissions may affect public confidence in decisions taken • The business case for the restructure of CCEA Senior Management has not yet been approved by DE, and requires further scrutiny by the Department
<p>Reasons why public interest favours withholding information</p> <ul style="list-style-type: none"> • There is limited public interest in communication between DE, DfE and CCEA, but there may be considerable damage to the effectiveness of the organisational review • For the organisational review to be effective, DE will require honest and open conversations with CCEA and those appointed as part of the review. • The business case requested is still in progress, and the current draft may not reflect the version that is approved by DE 	

Type of Document	Applicable Exemption
DfE report on “Resourcing of CCEA Regulation”	Section 35 – formulation of government policy
Submission to Minister: Official – Sensitive – Options for Awarding Arrangements in 2021/22 Academic Year	Section 35 – formulation of government policy
Post Project Evaluation (PPE) for CCEA Contingency Series, Summer 2022	Section 35 – formulation of government policy
CCEA Business Case for Senior Management Restructure	Section 35 – formulation of government policy