

Ref no: 012040416  
From: Public  
Date: 04/04/16  
Subject: New junior Doctors contracts

## REQUEST

Please provide all emails sent or received by your Chief Executive on the subject of the new Junior Doctors contract. This should be from 1/2/16 to date.

This is only two months of emails to look through, and should easily fall within the costs/time limit of the FOI act.

## RESPONSE

We have carefully considered your request in accordance with the Freedom of Information Act and we have decided to exempt your request in accordance with section 36 of the FOI Act.

Section 36 (2) provides the following grounds for declining a FOI:

- (b) would, or would be likely to, inhibit –
  - (i) The free and frank provision of advice, or
  - (ii) The free and frank exchange of views for the purposes of deliberation,Or
- (c) Would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

The Trust has come to this conclusion as even though an announcement has been made on the implementation of the junior doctors' contract, this is still very much a fluid policy area and section 36 continues to apply.

Please note that this is a qualified exemption and therefore we have considered the public interest balance. The arguments for and against release have been assessed and it is our view that the balance of public interest falls in favour of the exemption. The public interest in permitting the free and frank exchange of views in a manner and at a time of their own choosing is important. It is part of the effective conduct of public.