

Free and frank work sheet

Important note

This summary work sheet will help you to decide whether there is good reason to withhold official information under section 9(2)(g)(i) of the OIA / section 7(2)(f)(i) of the LGOIMA, in order to maintain the effective conduct of public affairs through the free and frank expression of opinions. Detailed guidance on this withholding ground is found in our guide: [Free and frank opinions](#).

<p>1. Would release inhibit the future exchange of free and frank opinions?</p>	<ul style="list-style-type: none"> • Consider: <ul style="list-style-type: none"> - The nature and content of the information - The context in which it was generated - Who generated or supplied the information - The relationship between the opinion holder and their intended audience - The timing of the request
<p>2. Would that inhibition prejudice the effective conduct of public affairs?</p>	<ul style="list-style-type: none"> • Will release mean: <ul style="list-style-type: none"> - the agency doesn't get this information in future? - the agency doesn't get complete and unreserved information in future? - the information is provided orally rather than in writing? • Why does the agency need the information? • What will be the impact on the agency's ability to do its job or make good decisions?
<p>3. Apply the public interest test</p>	<ul style="list-style-type: none"> • See Public interest—A guide to the public interest test in section 9(1) of the OIA and section 7(1) of the LGOIMA.
<p>4. Consider ways of mitigating the harm in release</p>	<ul style="list-style-type: none"> • Can the information be released in part? • Can a summary of the information be released? • Can other information be released, eg key documents and final papers? • This may help to minimise the potential harm and/or address the public interest in release.

5. Consider whether to refuse the request

- If withholding is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions, and the need to withhold is not outweighed by the public interest, then it is open to the agency to refuse the request.
- Use our [template letter 6](#) to communicate your decision on the request.