

Official

Ref: FOI-257

Sent via email only: [REDACTED]

06 April 2020

Dear [REDACTED]

1. Thank you for your email of 18 December 2019 in which you requested information from UK Anti-Doping ('UKAD') under the Freedom of Information Act 2000 ('the Act').

2. Specifically, your request was as follows:

*"Please can you provide any correspondence with UK Athletics board members, employees or contracted staff between January 2012 – November 2016 regarding concerns about the use of thyroid medication?"*

### Summary of Response

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3. UKAD is not disclosing the information you have requested. The detail of the basis for this response is set out below.

### Response

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4. UKAD confirms that it holds the information you have requested. However, we are withholding this information under the exemption in section 41 of the Act.

### Section 41 – Information provided in confidence

5. Section 41(1) states:

*Information is exempt information if –*

*(a) it was obtained by the public authority from any other person (including another public authority), and*

*(b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.*

6. The information you have requested was provided to UKAD by UK Athletics ('UKA'), a third party for the purposes of section 41(1)(a) of the Act. The information had the quality of confidence and was shared with UKAD in circumstances which imported an obligation of confidence.
7. Disclosure would be an unauthorised use of the information and would constitute a breach of confidence. This breach of confidence would be actionable by UKA, as the third party who provided the information.
8. Any such action would be likely to succeed, with the public interest in disclosure not outweighing UKAD's duty of confidence; therefore, the information is exempt from disclosure pursuant to section 41 of the Act. This exemption is an absolute exemption, and as such UKAD is not required to consider the public interest test any further in this context.

## Conclusion

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9. If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed: Philip Bunt, Chief Operating Officer, UK Anti-Doping, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8AE. Please remember to quote the reference number above in any further communications.
10. If you are not content with the outcome of the internal review, 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.

Yours sincerely



UKAD