



Information Commissioner's Office
Promoting public access to official information
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Press Release

For immediate release

Date: 13 August 2008

ICO orders the release of confidential papers on the Accession States Worker Registration Scheme

The Information Commissioner's Office (ICO) has ordered the release of Cabinet Office papers prepared for a Ministerial Working Group meeting in October 2005 which took the decision to continue the Accession States Worker Registration Scheme (WRS). The ICO has ruled that releasing the information under the Freedom of Information Act would improve public understanding of the controversial decision.

The Cabinet papers invited Ministers to consider whether to continue with the WRS for a further three years from the end of April 2006 or close it down and provide migrants from the Accession States with the same employment and social rights as those from pre-existing EU countries. The Government subsequently agreed to continue with the scheme until 2009.

Assistant Information Commissioner, Steve Wood, believes the full reasons behind the Government's decision are not widely known or understood and in his view, disclosing the relevant material would provide the public with a greater insight into the reasons behind the Government's decision.

The Cabinet Office maintained that the papers were exempt from disclosure as the information relates to the formulation of government policy, arguing that

officials must have the space to consider and present all possible options for Ministers to discuss. The public authority claimed that revealing policy options would undermine the process of collective government and may also reveal disagreements between Ministers and departments, thereby undermining the convention that once decisions have been reached, ministers are bound by collective responsibility.

The Assistant Information Commissioner considers that there is a public interest in disclosing the information as the Government's decision on this matter is considered to be controversial for a variety of reasons, including the impact on immigration and the UK labour market. In his view, the controversy stems, in part, from a lack of public engagement in the decision-making process. Steve Wood believes that releasing the requested papers would help to address the controversies surrounding the decision.

It is also the view of the Assistant Information Commissioner that disclosing the information would not harm collective cabinet responsibility as it is unlikely that the views of individual Ministers taking part in the discussions could be identified from the Cabinet papers.

The ICO has ordered the Cabinet Office to disclose all information within 35 days of this notice.

The full decision notice can be viewed at www.ico.gov.uk

ENDS

If you need more information, please contact the Information Commissioner's press office on 020 7025 7580.

Notes to Editors

1. The Information Commissioner promotes public access to official information and protects personal information. The ICO is an independent body with specific responsibilities set out in the Data Protection Act 1998, the Freedom of Information Act 2000, Environmental

Information Regulations 2004 and Privacy and Electronic Communications Regulations 2003.

2. The Worker Registration Scheme (WRS) was set up in 2004 to allow workers from the “A8 Countries” to work in the UK. The A8 countries were the countries that joined the European Union in 2004, excluding Malta and Cyprus. Workers from these countries must register on the WRS scheme within a month of joining a new employer in the UK. By registering, they are able to claim some basic benefits, such as Housing Benefit, Council Tax Benefit and Tax Credits. However the worker must be employed to be able to claim these benefits.
3. For more information about the Information Commissioner’s Office subscribe to our e-newsletter at www.ico.gov.uk