

Andrew Clelland
By e-mail

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22nd April 2024

Ref: FOI2024/06014

Dear Andrew Clelland,

Freedom of Information Act 2000

Thank you for your enquiry of 21 March 2024, which we have considered under the terms of the Freedom of Information Act 2000 (the FOI Act).

You asked for the following information:

"I am writing to submit a Freedom of Information request under the Freedom of Information Act 2000. I would like to request information regarding a meeting held between Nigel Huddleston Financial Secretary to the Treasury and the Hair and Barber Council on March 21st 2024.

Specifically, I would like to request the following information;

Names and positions of all meeting attendees

Meeting agendas

Meeting minutes or notes

Details of discussions and decisions made during the meeting.

Any follow-up actions or decisions resulting from the meeting.

Information regarding any upcoming meetings or planned engagements between HM Treasury and organisations representing the Hair and Beauty Industry/Personal Care sector.

I understand that some information may be exempt from disclosure under the Freedom of Information Act, but I request that you provide as much detail as possible within the scope of the request.

I note that my previous request FOI2024/03441 remains outstanding."

Following a search of our records, we can confirm that HM Treasury does hold some information within the scope of your request. This information has been compiled in the annex at the end of this letter.

However, we have identified some information within scope of your request which engages the following exemptions under the FOI Act:

Section 40(2)

We consider that some of the information within scope of your request constitutes personal data, because it relates to names and job roles of junior officials. Section 40(2), by virtue of section 40(3A) provides an absolute exemption for third party personal data, where disclosure would contravene any of the data protection principles set out in Article 5 of the UK General Data Protection Regulation (UK GDPR). The first data protection principle requires the disclosure of third-party personal data to be lawful, fair and transparent. We believe that releasing the information would breach the first data protection principle. Therefore, this information has been withheld on reliance of section 40(2).

Section 43(2)

Additionally, we consider that some of the information within scope of your request engages the exemption at section 43(2) of the FOI Act, because it is information which would prejudice commercial interests if released. Section 43(2) is a qualified exemption, and we are required to consider the balance of public interest between disclosure and non-disclosure.

We recognise that there is a public interest in transparency regarding the accountability of the Government's dealings with third parties and how those interactions take place. We are aware that such transparency can inform public debate on the issues dealt with by the Treasury.

However, as an economics and finance ministry HM Treasury relies on information provided by a range of stakeholders to better understand the impact of economic policy proposals on different sectors. Engagement and feedback with representatives of different industries is central to economic policy decision making. We consider that the disclosure of information that would have a negative impact on the commercial interests of the Hair and Barber Council would be likely to inhibit their future engagement with the department. It is also likely to inhibit the future engagement of other companies who would be reluctant to engage with HM Treasury if they perceived there was a likelihood of the release of commercially sensitive information. Disclosing commercially sensitive information which feeds into ongoing policy development (namely, our view of the market and how that informs ongoing decisions about current and future government intervention) could also harm our commercial position.

Therefore, we consider the balance of the public interest falls in favour of withholding this information.

A search of relevant officials' and Ministers' future engagements in the next three months did not reveal any upcoming meetings or planned engagements between HM Treasury and organisations representing the Hair and Beauty Industry/Personal Care sector. The Department for Business and Trade leads the government's relationship with this sector.

In response to your comment "*I note that my previous request FOI2024/03441 remains outstanding*", we note that a response was sent to your request FOI2024/03441 on 1 March. A response to your follow-up request, FOI2024/04432, was sent on 26 March.

If you have any queries about this letter, please contact us. Please quote the reference number above in any future communications.

Yours sincerely,

Information Rights Unit

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Your right to complain under the Freedom of Information Act 2000

If you are not happy with this reply, you can request a review by writing to HM Treasury, Information Rights Unit, 1 Horse Guards Road, London SW1A 2HQ or by emailing us at the address below. Any review request must be made within 40 working days of the date of this letter.

Email: foirequests@hmtreasury.gov.uk

It would assist our review if you set out which aspects of the reply concern you and why you are dissatisfied.

If you are not content with the outcome of the review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner will not make a decision unless you have exhausted the complaints procedure provided by HM Treasury which is outlined above.

The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF (or via their website at: <https://ico.org.uk>).

Annex A

FST Meeting with the Hair and Barber Council (21/03/2024)

Attendees: FST, Gareth Penn (Registrar, Hair and Barber Council), Collette Osborne (Vice Chair, Hair and Barber Council), [HMT redacted – section 40(2)], [HMRC redacted – section 40(2)], [HMT redacted – section 40(2)], [HMT redacted – section 40(2)], [HMT redacted – section 40(2)].

- *FST noted that HMG has brought in several measures to support SMEs in AS23 and SB24. However, he stressed that he understood that this is a difficult time for businesses and that he is keen to understand the experiences of hairdressers.*
- *Gareth explained that there had been a significant expansion in the number of supposedly self-employed hairdressers since COVID. These businesses are engaged in a variety of questionable practices to avoid taxes (e.g., the rent-a-chair model). The lack of a statutory register of hairdressers means that enforcement is difficult and this is a threat to the legitimate hairdressing sector. They also serve as fronts for money laundering etc.*
 - *Collette stressed that she welcomed the work HMRC have done to educate the sector, but explained that many hairdressers were micro-businesses who struggle to understand the rules, often copying what competitors do or following bad advice from tax advisors.*
- *Collette explained that her members are very concerned about the increase in the National Living Wage. This is further pressuring legitimate operators vis-à-vis illegitimate actors who do not pay staff illegally low wages. It is also resulting in a severe decline in the number of hairdressers able to take on apprentices (many of whom will be made redundant). This poses long-term risks to the skills base the sector relies on.*
 - *She suggested that HMG should explore options to better support businesses which take on apprentices.*
- *Gareth emphasised that their key ask is that government regulates the industry via a statutory register.*
 - *He also noted the work the Council are doing with the insurance industry to ensure illegitimate businesses cannot get insured.*
- *Collette explained that many legitimate businesses regard a reduction in the VAT threshold as a key way to enforce wider compliance.*
[Redacted – section 43(2)]
- *FST noted the points raised and stressed that we are looking carefully at options to improve standards in the tax advisor market.*

- *He stressed that there are no easy answers to the questions raised, but that it was helpful to hear directly from industry. FST committed to passing on the points raised about apprenticeships to DfE.*
- *Collette offered to pick up her concerns about the business interruption insurance with officials.*