

16<sup>th</sup> April 2010

**Royal Mail Group**

Mr Adrian Rutherford

By email: request-30411-xxxxxxx@xxxxxxxxxxxxxxx.xxx

Freedom of Information Unit  
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Royal Mail Sheffield  
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Sheffield  
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Dear Mr. Rutherford

**Re: Freedom of Information Request**

I am writing in response to your email on the 9<sup>th</sup> march 2010. You will note from previous correspondence relating to your requests that we withheld the information held relating to 'Thefts' under Section 43(2), Commercial Interests, and 'Disciplinary' under Section 40, Personal Information.

Due to all four of your original requests relating of similar subject, Performance in Northern Ireland, the Internal Review of Royal Mails decision to exempt the information relating to 'Thefts' and 'Disciplinary' was refused as the four requests together would have exceeded the cost limit under section under of the Freedom of Information Act.

Your new request, following withdrawal of the cost limited requests, is identical to those originally submitted on the 1<sup>st</sup> January 2010. I can confirm that our response, noted below, remains the same.

On the 9<sup>th</sup> March 2010 you requested the following information. I will answer your questions in the order they appeared on your email.

*Question A:*

*Please provide details of all disciplinary action taken against Royal Mail employees in Northern Ireland in each of the last three years (2007-2009). For each incident, please provide:*

- 1. the date*
- 2. the town/city/location where the employee was based*
- 3. the employee's position (i.e. manager, postman etc)*
- 4. details of the offence/misconduct*

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*5. what punishment/action was taken*

*6. where an employee was suspended, detail for how long, and how much was he/she paid while on suspension.*

In response to your request for details of disciplinary action in Northern Ireland, I can confirm that relevant information is recorded in our Human Resources records. However, we consider this information to be personal data which is exempt from disclosure under section 40(2) of the Freedom of Information Act. Royal Mail employees to whom this information relates would have no expectation that this information would be disclosed into the public domain. We therefore believe that disclosing such information would breach the principle of fair and lawful processing and such disclosure would not be justifiable. Section 40 is an absolute exemption in this respect and the public interest test does not apply.

Question B:

*Please provide details of all thefts by Royal Mail employees in Northern Ireland in each of the last three years. Please provide:*

- 1. the date*
- 2. location of the theft*
- 3. details of the incident/what was taken (especially if mail was stolen)*
- 4. whether these items were recovered*
- 5. what punishment or disciplinary action followed.*

I can confirm that this information is held by Royal Mail in electronic format. However, this information is considered to be commercially sensitive and exempt from disclosure under section 43 of the Freedom of Information Act. This information is likely to be utilised by Royal Mail's competitors and presented out of context resulting in unfair damage to customer confidence. This would place Royal Mail at a significant disadvantage to other postal operators who offer their own products in direct competition with Royal Mail but are not required to publish or disclose equivalent information themselves.

This exemption is subject to the public interest test. Although there is public interest in the performance of Royal Mail, we believe this interest is satisfied through reporting to Postcomm and Consumer Focus. Royal Mail publishes details of our overall performance against nationally agreed targets on its website [www.royalmailgroup.com](http://www.royalmailgroup.com). Information relating to Royal Mail alone, without equivalent information from competitor's, would not enable customers to make an informed choice about the postal operator or service they wish to use. Further, Royal Mail Group is a publicly owned company and there is a real and

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direct public interest in its commercial performance and ability to operate on a level playing field with competitors in a highly competitive market. Therefore in our view the overriding public interest lies in maintaining this exemption.

Royal Mail constantly reviews security to ensure the continuing integrity of the mail operation and we have a zero tolerance approach to any dishonesty. The overwhelming majority of all letters posted arrive safely at the correct destination but we remain vigilant to any risk to the operation. It remains the case that the huge majority of our people are scrupulously honest and take huge care over the mail entrusted to them by our customers.

I am sorry that this information cannot be provided. If you are not satisfied with this response, you do again have the right to request a review of your revised request. If you wish to do so please set out in writing your grounds of appeal and send to the Head of Information Compliance, Royal Mail Group, Company Secretary's Office, 100 Victoria Embankment, LONDON, EC4Y 0HQ. An internal panel will then review the decision, and you will be advised of the outcome.

If, having requested an internal review by Royal Mail, you are still not satisfied with our response you also have a right of appeal to the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Yours Sincerely



Daniel Tulp  
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