

02 September 2013

Royal Mail Group

Mr Christian Cowell

By Email: request-171380-a29344e3@whatdotheyknow.com

Information Rights Team
(Freedom of Information Act)
2nd Floor
Royal Mail Sheffield
Pond Street
SHEFFIELD
S98 6HR

Tel: 0114 241 4215
foi@royalmail.com
www.royalmail.com

Dear Mr Cowell

Re: Freedom of Information Act Request (Our Reference: MTEE-9AAASU)

I am writing in response to your recent request for information from Royal Mail Group. In your email dated 03 August 2013 you requested *'any and all communications on record from the GCHQ, to Royal Mail, and from Royal Mail, to GCHQ, in full, and dated if not otherwise obvious within the document itself'*.

We have considered your request under the terms of the Freedom of Information (FOI) Act 2000. Section 23(5) of the FOI Act (*information relating to security bodies*) removes the duty for a public authority to confirm or deny whether it holds information, if doing so would involve the disclosure of any information (whether or not already recorded) relating to any of the security bodies specified in section 23(3). As the Government Communications Headquarters is identified as a relevant security body, Royal Mail Group neither confirms nor denies whether it holds any information related to your request as we believe that the exemption under section 23 clearly applies. Section 23 of the FOI Act is an absolute exemption and is not therefore subject to the 'public interest test'. Please note that reliance on this exemption should not be taken as a confirmation or denial that information relating to your request does or does not exist.

You also ask for *'any internal communications that will be created when fulfilling this request, including any communications between Royal Mail departments and/or third parties (such as FOI lawyers)'*. Section 1(4) of the FOI Act states that the information to be communicated to an applicant under the Act is the relevant information *'held at the time when the request is received'*. Any information created in the course of dealing with a request would not have been held at the point the request was received. There have been limited internal communications in the course of processing your own request. If you wish to request this information you would need to submit a new written request.

Cont...

We will deal with any written request in line with our obligations under the FOI Act. Due to the subject of your request section 23 or other exemptions may be applicable. However, I can assure you that we consider every request on its own merits.

I am sorry your request could not be met on this occasion. If for any reason you are not satisfied with this response, you do have the right to request a review. If you wish to do so please set out your grounds of appeal and send to the Head of Information Rights at the above address. An internal panel will then review the request, and you will be advised of the outcome.

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

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700
www.informationcommissioner.gov.uk

Yours sincerely

Kate Fearn
Information Rights Team
Company Secretary's Office