



Department
of Energy &
Climate Change

Department of Energy & Climate Change

3 Whitehall Place,
London SW1A 2AW

Eric Taylor
request-317252-aa6ee24f@whatdotheyknow.com

www.decc.gov.uk

Our ref: FOI2016/04230

8 March 2016

Dear Mr Taylor,

RE: Concessionary Fuel Agreements for ex British Coal Colliery Management Staff

Thank you for your email of 18th February 2016 where you requested the following information:

Where I can find all copies of the agreements made including any amendments regarding types of fuel permitted, how cash in lieu is calculated, responsibilities of those (Capita) in running the scheme.

In addition, the total costs of running the scheme and numbers of staff employed at Dept of Energy, Capita, CPD

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

- know whether we hold the information you require
- be provided with that information (subject to any exemptions under the Act which may apply).

A copy of the information which can be disclosed is attached and set out below. The attached information consists of copies of the agreements, including any amendments regarding the types of fuel permitted. The agreement that relates to your entitlement is the British Association of Colliery Managers 1979 attachment.

There are two contracts covering the National Concessionary Fuel Scheme (NCFS) – one for administration of the solid fuel and cash in lieu entitlements, currently with Capita, and the second for the purchase and delivery of the solid fuel entitlement, currently with CPL Distribution Ltd (CPL).

The National Concessionary Fuel Office (NCFO) is part of Capita Insurance Services Ltd. They deal with beneficiaries and their representatives, from family and friends to solicitors and Members of Parliament. The NCFO team handle thousands of pieces of

correspondence and telephone enquiries. They have designated staff to manage the recovery of overpayments, investigation into suspected fraud and control of home visits. The NCFO employ under 20 people.

There are under 5 people in DECC with responsibility for the NCFS whose duties include policy development and contract management responsibilities.

The total number of beneficiaries as at end December 2015 was 58,389. These consist of 48,543 CIL beneficiaries and 9,846 solid fuel beneficiaries. The number of beneficiaries is continually decreasing. The 2015/16 forecast annual value of cash allowances is c£35m and fuel allowances of c£14m, - c40,000 tonnes of solid fuel. The Scheme is forecast to continue until 2060 at a cost of c£485m.

I can confirm that the Department holds information falling within the terms of your request in regard to the number of people employed by CPL on the Concessionary Fuel contract. However, this information is exempt from disclosure under Section 43 (Commercial interests) of the FOI Act.

The number of people employed by CPL in fulfilment of the supply and distribution on concessionary fuel has been withheld under Section 43(2) of the Act. The use of Section 43(2) is subject to a public interest test. In this context, we recognise that there is a general public interest in the disclosure of information, as greater transparency makes Government more accountable. Against this there is a public interest in ensuring that the commercial interests of external businesses are not damaged or undermined by disclosure of information which is not common knowledge and which could adversely impact on future business.

In addition, the Department's own commercial interests could be damaged as disclosure could damage our business reputation and the confidence our customers have in us, making them reluctant to provide us with commercially sensitive information in the future. In this case, we consider that the public interest in favour of disclosing such information is outweighed by the necessity to protect the commercial interests of third parties. The Department's decision is therefore to withhold the information.

Appeals Procedure

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 sent to the Information Rights Unit at:

Information Rights Unit (DECC Shared Service)
Department for Business, Innovation & Skills
1 Victoria Street
London
SW1H 0ET
E-mail: foi.requests@bis.gsi.gov.uk

Please remember to quote the reference number above in any future communications.

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,

COAL LIABILITIES UNIT