



Mr John O'Sullivan
request-979909-3bed4b04@whatdotheyknow.com

Date
08 June 2023

Post Office
100 Wood Street,
London,
EC2V 7ER

Classification:
Public

Dear Mr O'Sullivan,

Freedom of Information Request – FOI2023/00260

I am writing in response to your email received by Post Office Limited (“Post Office”) on 12 May 2023, in which you asked the following:

Does your department hold responsibility for the correct interpretation and answering of FOI requests?

Do you ever review your procedures?

Do you ever take legal advice on drawing up replies?

If so from whom?

Does a reply from the POL FOI department constitute the Post Office's position on a matter or its FOI Team?

Post Office considers that your email does not contain a request for recorded information. Although your request can be in the form of a question, rather than a request for specific documents, the Freedom of Information Act 2000 (“FOIA”) does not oblige an authority to answer a question if this would mean creating new information or giving an opinion or judgment that is not already recorded, which applies to the questions you have raised.

We would like to also refer you to the Information Commissioner's Office (ICO) guidance on how to access information from a public authority, which can be found at the following link: <https://ico.org.uk/for-the-public/official-information/>

We deal with requests that do not fall under the FOIA through standard business enquiry processes rather than as a formal request for information, therefore in answer to your question:

Does your department hold responsibility for the correct interpretation and answering of FOI requests?

The Information Rights team is responsible for the coordination of FOI Requests and involves relevant business areas in the preparation of responses. If requests are ambiguous in any way, the team may require further clarification from the requester either before starting the request or at any time during the handling period. Where relevant, the team will indicate how it may have interpreted a request which allows the requester to clarify should that interpretation be wrong. The team provides advice and guidance to business areas on the applicability of exemptions and, lastly, the team is also responsible for issuing responses.

Do you ever review your procedures?

We review our procedures on a regular basis to take account of best practice, guidance and developments in case law. In addition, we have regular team discussions to share best practice and knowledge.

Do you ever take legal advice on drawing up replies?

The Information Rights team takes legal advice where necessary when dealing with requests.

If so from whom?

Advice is sought both internally and externally as necessary.

Does a reply from the POL FOI department constitute the Post Office's position on a matter or its FOI Team?

The FOI Act provides access to recorded information as set out in the ICO's Guidance (see above).

To be clear FOIA responses follow ICO guidance on recorded information held by Post Office that is responsive to the request.

Yours sincerely,

Information Rights Team

information.rights@postoffice.co.uk

<https://corporate.postoffice.co.uk/en/governance/access-to-information/access-to-information/>

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