



Information Rights Team
Post Office Limited
1st Floor, Old Street Wing
148 Old Street
London
EC1V 9HQ
T 020 7250 2647

Mr Tony Williams
request-215826-44ff37fd@whatdotheyknow.com

Our reference : FOI201407090859

12 September 2014

Dear Mr Williams,

Ref: Freedom of Information Request - FOI201407090859

I am writing in response to your email dated 08 July 2014, which I am dealing with under the terms of the Freedom of Information Act 2000 ("the Act").

In your email, you have requested information in two parts:

Please provide me with the date that the MOU was signed and a copy of the MOU - you can redact all but the date and the signatories as I have a copy of the unsigned MOU.

I can confirm that Post Office does not hold the information you have requested, as there is no signed Memorandum of Understanding in place between Post Office and the National Federation of Subpostmasters ("NFSP"). I can confirm that negotiations and discussions remain on-going.

Please provide me with a copy of all emails and letter (sic) between POL and the NFSP that refer to this MOU.

I can confirm that we do hold the information you have requested, however after careful consideration of your request, we are withholding the information in accordance with Sections 36(2)(b)(i), (b)(ii) and (c) of the Act - prejudice to the effective conduct of public affairs.

Prejudice to Effective Conduct of Public Affairs

Post Office's Qualified Person has determined that disclosure of the requested information would be likely to:

- inhibit the free and frank provision of advice;
- inhibit the free and frank exchange of views for the purposes of deliberation; and
- prejudice the effective conduct of public affairs.

The risks identified above would be likely to apply in respect of the on-going discussions between Post Office Limited and the NFSP, as well as future similar discussions and negotiations with other third parties.

Public Interest

Post Office Limited considers that the public interest in withholding the information outweighs the public interest in disclosing it and that therefore the information is exempt from disclosure, on the following basis:

Post Office recognises that there is a general public interest in disclosing information about its affairs, as greater transparency enables public authorities to be more open and accountable to the public for spend and the development of key relationships and partnerships and the effect those relationships have on its strategy and direction.

However, against this there is a compelling public interest in ensuring that there is a safe space for Post Office Limited to have the freedom and ability to negotiate agreements and commercial proposals with third parties such as the NFSP. Removing this safe space is likely to have a direct adverse impact on the willingness and ability of all parties to engage in free and frank dialogue and negotiations. This risk of prejudice applies to both the on-going discussions, as well as future similar discussions and negotiations.

It is in the public interest to ensure there is proper engagement and debate and, where necessary, there is space for a free and frank exchange of views and for the provision of free and frank advice, without the expectation of those deliberations, written or verbally, being made public. This allows views to be examined and debated, which enables more thorough policy development and decision-making in the public interest. Disclosure of the requested information could seriously inhibit the exchange of information and the deliberation of thinking and opinions between Post Office Limited and the NFSP in respect of the on-going discussions. Business Innovation & Skills ("BIS") is also involved in the on-going discussions and, whilst your request does not extend to emails and letters between Post Office Limited and BIS, we consider disclosure of the requested information could also have a chilling effect on the exchange of information and views, as well as the provision of free and frank advice, between Post Office Limited and BIS.

There is also a real risk that disclosure will prejudice Post Office Limited's ability to conclude an agreement with the NFSP on satisfactory terms or at all.

I am sorry that I could not provide you with the information you requested. If you are dissatisfied with the handling of this response, you do have a right to request an internal review. You can do this by writing to the address below stating your reasons for your internal review request:

Information Rights Manager
Information Rights Team
Post Office Limited
1st Floor
Old Street Wing
148 Old Street
London
EC1V 9HQ
foia@postoffice.co.uk

If, having requested an internal review by Post Office, 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
Telephone: 01625 545 700
www.informationcommissioner.gov.uk

Yours sincerely

A handwritten signature in black ink, appearing to be 'O. Olabopo', written in a cursive style.

O. Olabopo

Information Rights Team Support
Information Rights Team

foia@postoffice.co.uk

<http://www.postoffice.co.uk/our-publication-scheme>