

25th May 2010

Royal Mail Group

Mr Robert Whittaker

Email: request-30917-aff485e1@whatdotheyknow.com

Freedom of Information Unit
2nd Floor
Royal Mail Sheffield
Pond Street
Sheffield
S98 6HR

colin.young@royalmail.com
www.royalmail.com

Dear Mr Whittaker

Re: Freedom of Information Act - Internal Review

I am writing in response to your email dated 26th April 2010 in which you requested a review of Royal Mail Group's response to your request for information dated 17th March 2010. Royal Mail Group has reviewed this request in line with its obligations under the Freedom of Information Act and I am writing to inform you of the outcome of this review.

In your request you asked for the following information:

"I'd therefore like to know whether your 'Central Collections Management Database' does include information about each post-box, and exactly what information about each box is stored there.

"If it does, I would like an extract from this database listing each post-box, with whatever of the following is held there: its number, location description, postcode, and last collection times. For each box, I'd also like whatever location coordinates / data is used to calculate the 'Position of Box on an electronic map.'"

In our response dated 16th April 2010, Daniel Tulp provided you with details of the information and specific fields which are held by Royal Mail in the Collections Management Database. However, Mr Tulp advised that an extract of the data held in this database was considered to be exempt from disclosure under section 43(2) of the Freedom of Information Act. Royal Mail Group's internal review panel has reviewed this request and considered the points made by you in your email of the 26th April, and I will set out their decision below.

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Section 43

The review found that the location coordinates data held on the database for each postbox is covered by both sections 43(1) and 43(2) of the Freedom of Information Act.

Under section 43(1) information is exempt information if it constitutes a trade secret. The review panel considered guidance from the Information Commissioner's Office in determining whether this information is a trade secret. Royal Mail's commercial department has confirmed that this information has a commercial value which the business wishes to exploit in the future. Releasing this information would clearly be advantageous to other companies who could utilise the information in their own products (e.g. Satellite Navigation products). The location coordinates data is not already in the public domain and could not be reproduced without significant time and resource. The review panel was therefore satisfied that this information does constitute a trade secret and section 43(1) is engaged.

Where the information requested constitutes a trade secret, there is no need to consider the harm its release may cause. However, the review concluded that; in the event that section 43(1) was found to not apply, section 43(2) would be engaged.

Under Section 43(2) information is exempt information if its disclosure under this Act would, or would be likely to; prejudice the commercial interests of any person (including the public authority holding it). Royal Mail has gathered this information using its own business resource and continues to invest in updating and improving the accuracy of the information. The information has a commercial value to Royal Mail which would be undermined by its release into the public domain. This would clearly be likely to prejudice the commercial interests of Royal Mail; significantly reducing if not removing completely, Royal Mail's ability to exploit the information commercially.

As stated by Mr Tulp in the email dated 16th April 2010, Royal Mail will in the future be providing postbox location information through the Royal Mail Group websites. Releasing this raw data would deny Royal Mail Group the full benefit of providing this service directly to customers and attracting visitors to its own website through this innovation. It would be detrimental if members of the public were drawn to alternative websites for reasons of cross-marketing and promotion of other services provided by Royal Mail and Post Office Limited. For these reasons section 43(2) is also engaged.

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The Public Interest Test – Section 43

Section 43 is subject to the 'Public Interest Test' and the internal review panel also considered whether, despite the application of the exemption; there is an overriding public interest in providing this information.

The Universal Service guarantees one delivery for every UK household and business, each working day and one collection of mail six days a week and postboxes are a vital part of providing the collection service. Royal Mail recognises therefore that there is public interest in promoting access to postboxes and informing the public of postbox locations. However, there is public interest in protecting the commercial interests of any business from unfair prejudice. As a publicly owned company there is significant public interest in protecting commercial interests of Royal Mail Group and its ability to provide public mail services. In the face of declining mail volumes, Royal Mail is reliant on revenue from all possible avenues. As Royal Mail has developed this data at its own expenses and continues to invest in updating and improving the accuracy of the information, the review panel felt that it would not be in the public interest to deny Royal Mail of the full potential value of this information in future commercial use.

The review took into account your assertion that disclosure of this data would improve the quality of publicly of publicly available information in relation to postbox locations. The public interest in protecting the commercial interests of Royal Mail has to be balanced against the public interest in postbox locations. However, the review panel felt that the public interests would be served by the provision of postbox location information on the Royal Mail Group website. This innovation will be made in the next year following an extensive update of the location coordinates data. The postbox location information, when published by Royal Mail, will be accurate, up to date and more reliable and therefore of far greater benefit to the public.

The information in question does not relate to public spending, decision making or public safety and, for the reasons outlined above, the review panel felt that overall the public interest in releasing this data did not outweigh the public interest in maintaining the exemption, and therefore believed that the information should be withheld.

Section 22

In your email of the 26th April you pointed to previous requests for information relating to postbox locations where information was disclosed by Royal Mail. In light of the intention to publish postbox location information for all UK postboxes through the Royal Mail Group websites, the review panel determined that the further location data held in the Collections Management Database is exempt from disclosure under section 22(1) of the Freedom of Information Act. Under section 22(1) information is exempt information if it was held, at

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the time when the request for information was made, with a view to its publication at some future date. As stated above, Royal Mail Group will be publishing postbox location and final collection times information on its website, this publication was already planned at the time of your request and the review panel was therefore satisfied that section 22(1) is engaged.

Public Interest Test – Section 22

Information may only be withheld under this exemption if it is reasonable in all the circumstances to do so. The review panel therefore considered whether Royal Mail should keep to the original timetable for publication of this information or whether the circumstances of the case, including the public interest, would warrant earlier disclosure. The review panel felt that the application of section 22 was reasonable on two counts:

Firstly, as I have already said, the information when published will be accurate, up to date and more reliable and therefore, of greater benefit to the public. Secondly, it is reasonable and brings benefit to Royal Mail Group to attract people to its own website for this service. As stated above, it would be detrimental if members of the public were drawn to alternative websites for reasons of cross-marketing and promotion of other services provided by Royal Mail and Post Office Limited. Consequently, the review panel felt that it was reasonable in all the circumstances to withhold this information and that the public interest is best served by keeping to the planned publication of this information by Royal Mail Group.

Finally, in your email you referred to an older request submitted through the 'What Do They Know' website in which the applicant requested grid references for postbox locations. That request was submitted in May 2008 and the location data held in the Collections Management Database was not in place until July 2008. Therefore, we believe that the previous request was answered correctly.

I apologise that the information you requested cannot be provided but hope that this response suitably explains Royal Mail's position. In the event that you are not satisfied with this reply, you also have a right to appeal to the Information Commissioner who can be contacted at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700

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www.informationcommissioner.gov.uk

Yours sincerely

Colin Young
Freedom of Information Manager
Company Secretary's Office