

20 December 2010

**Royal Mail Group**

Mr John Gow

Email: request-46883-bfc3f427@whatdotheyknow.com

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Dear Mr Gow

**Request under the FOI Act 2000 – internal review and additional questions**

Thank you for your email dated 27 November 2010, which we received on 29 November 2010. I am sorry that you are disappointed with the outcome of the internal panel review of your request.

As I explained in my letter of 23 November 2010, the review panel considered all the circumstances relating to the information you requested and decided that release of this information would be likely to commercially prejudice Royal Mail and that it was intended for future publication, and that on balance the greater public interest lay in withholding it. Whilst section 22 is only applicable to some of the information you requested, it is believed that section 43(2) applies to all of the information in question – I apologise if this was not clear from our response.

I do not agree that Royal Mail is wrong in its expectations of the new product which it is to be launched: this product is intended to generate profits and benefit the commercial interests of Royal Mail which we fully expect it to do.

You suggest that Royal Mail is stalling in relation to your request on account of the proposed privatisation. This is certainly not the case: the panel fulfilled its obligations fully and properly in considering your request for information.

In your email, you repeated your request for an up-to-date list of box numbers, box types and collection plate codes. As stated in my letter of 23 November, the panel concluded that this data is exempt under section 43(2) of the FOIA, and that the balance of the public interest is in favour of upholding the exemption.

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I trust that this adequately explains our 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  
[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

### Supplemental Questions

You also asked some supplemental questions in your email, regarding the proposed search facility. We regard this as a new request under the FOIA.

I can confirm that relevant information is held by Royal Mail but this information is also exempt under Section 43(2) of the FOIA as release would be likely to prejudice Royal Mail's commercial interests. This is because disclosure of these details would enable suppliers of rival products to gain a competitive edge by knowing in advance the details of the product which Royal Mail intends to provide, thereby allowing them to hone or adapt their own product to provide more effective competition to Royal Mail's tool.

As I mentioned above, Section 43 is a qualified exemption and it is therefore necessary to establish whether the greater public interest is in the information being withheld rather than released.

Royal Mail has considered the factors both for and against maintaining the exemption and it believes that the greater public interest lies in maintaining the exemption. This is because it is in the public interest for Royal Mail to remain as competitively healthy as possible to ensure its viability. Commercial products such as the one to which the information relates are vitally important to Royal Mail's future business, especially in the face of declining postal volumes, and are key to Royal Mail's viability and its ability to deliver the universal service.

I am sorry I cannot provide you with the information you have requested, although I do hope the above explanation is of use. However, if you are not satisfied with this response to these new questions, you have a right to request an internal review. If you wish to do so please set out in writing your grounds for doing so and send to the Head of Information

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Compliance, Company Secretary's Office, Third Floor, 100 Victoria Embankment, LONDON, EC4Y 0HQ. An internal panel will then review the decision, and you will be advised of the outcome.

If, having requested an internal review by Royal Mail Group, you are still not satisfied with our response you also have a right of appeal to the Information Commissioner at the address given above.

Yours sincerely

Colin Young  
Freedom of Information Manager  
Freedom of Information Unit