



[Redacted]
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Date
26 July 2024

Post Office
100 Wood Street
London EC2V 9ER

Your Ref:

Classification:
Public

Dear [Redacted],

Freedom of Information Request – FOI2023/00534

We are writing in response to your email received by Post Office Limited (“**Post Office**”) on 11 September 2023, which has been dealt with under the terms of the Freedom of Information Act 2000 (“**FOIA**”). We sincerely apologise for the delay in our response.

In your email you have requested the information shown verbatim in bold below:

“As a result of your response to my request FOI2023/00329, as advised I am submitting a new request to seek information on the *current* initiative to replace the Horizon system.

For the avoidance of doubt, I am seeking information on the current initiative as of 2023, rather than the previous failed initiatives, and so the search can be restricted to 2020 onwards.

Please could you provide whatever papers or presentations exist which were presented to or agreed by the Exec or Board, which describe the current strategy being used for the procurement of the Horizon, including information on the planned timetable, proposed high level architecture/technical shape, and the companies being used.”

We can confirm that Post Office does hold the information you have requested, which is contained within fourteen documents and presentations. However, we are withholding this information as it falls within the FOIA exemptions at section 31(3), relating to the prevention and detection of crime, section 40(2) and 40(3A) relating to personal data; and section 43(2), relating to commercial interests.

Summary of the Grounds for Refusal under FOIA:

These exemptions are engaged because:

- a) disclosure of these documents will prejudice the prevention of crime by facilitating the possibility of a criminal offence being carried out because of the information contained in the documents, which means that Post Office is allowed to withhold the information under s.31(3) FOIA.
- b) there are also some names and personal data of a number of Post Office employees contained within the information which need to be redacted which means that Post Office is allowed to withhold the information under s.40(2) and s.40(3A) FOIA.; and
- c) additionally, Post Office believes that disclosure of the information requested would, or would be likely to, prejudice the commercial interests of any person, including the public authority holding that information, which means that Post Office is allowed to withhold the information under s.43(2) FOIA.

Sections 40(2) and 40(3A) FOIA are absolute exemptions and do not require Post Office to consider the public interest test when determining that these sections can be applied to information that is requested.

However, section 31(3) and section 43(2) are qualified exemptions and require a public interest test to be carried out to determine whether the public interest in disclosure outweighs the public interest in maintaining the exemption.

We set out the factors that we have considered when assessing the public interest test below:

Application of the Public Interest Test - Prevention and detection of crime (s.31(3) FOIA)

For the public interest test to apply section 31(3), Post Office have reviewed the contents of the documents in scope and note that they contain sensitive information relating to the proposed approach to information and cyber security within the new IT system. Disclosure of the information could be used as the basis of criminal activity or a cyber-attack, to try and obtain information for nefarious means, which could lead to cyber-crime incidents. Therefore, disclosure by Post Office would prejudice the investigation of any incidents of criminal activity if we were to disclose this information, and this is not in the public interest.

Application of the Public Interest Test - Commercial interests (s.43(2) FOIA)

Turning to review the public interest test for section 43(2), it has been our long-stated intent to replace the Horizon IT system with a new cloud-based system and Post Office understands the high public interest in transparency regarding our procurement decisions.

We recognise that disclosing information enhances transparency about the ways of working within Post Office. It also helps provide public confidence about the planning of the new system. It would also promote transparency and understanding about the way public money is being spent.

On the other hand, there is an even stronger public interest in ensuring that new system will be secure and fit-for-purpose. Disclosing information at this stage of development could significantly hamper this process.

There is a strong public interest in withholding sensitive commercial information where it would, if disclosed, prejudice the commercial interests of Post Office. The information you have requested includes board papers, sensitive negotiation discussions, and commercial projections regarding the project. At this crucial stage of Post Office's plans, providing such a large amount of commercial data into the public domain would prejudice the procurement process and thus lead to potentially higher costs in subsequent phases of the project. By releasing the information, this could undermine Post Office's ability to compete on behalf of itself and its postmasters to obtain best value on the investment of public money into the system. This is because it would be unable to operate in a fair marketplace using the competitive dialogue procedure.

Post Office's commercial interests also extend to those of our postmasters. We are currently working in collaboration with postmasters to expand pilots for the introduction of the new system into Post Office branches, involving regular and continuing dialogue on development. Disclosure of the information you have requested will potentially damage this collaboration and prejudice the commercial interests of both parties during this very complex and evolving project.

Significant testing and assurance are of overriding importance ahead of full rollout and we are also, in the meantime, investing to ensure continuity for postmasters and customers through the successful continued operation of our existing technology. Disclosure of the documents requested would hinder this process.

Personal data

We have also withheld some information under sections 40(2) and 40(3A) of the FOIA, as the information constitutes personal data relating to other persons. These sections exempt personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would breach any of the data protection principles in Article 5(1) of the UK General Data Protection Regulation (GDPR).

We consider that disclosure of this information is likely to breach the first data protection principle, which provides that personal data must be processed lawfully, fairly, and in a transparent manner. Disclosure would not constitute 'fair' processing of the personal data because the information relates to junior employees who are not public facing and would not reasonably expect their names to be disclosed in relation to this request for information.

Internal Review / Right of Appeal:

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 above within 40 working days of receipt of this response stating your reasons for your internal review request or alternatively, by emailing information.rights@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: 0303 123 1113
www.ico.org.uk/foicomplaints

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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