



Date
3 March 2025

Post Office
100 Wood Street
London EC2V 9ER

Your Ref: FOI2024/00814

Classification:
Public

Dear [REDACTED],

Freedom of Information Request – FOI2024/01634

We are writing in response to your email received by Post Office Limited (**"Post Office"**) on 22 December, which has been dealt with under the terms of the Freedom of Information Act 2000 (**"FOIA"**).

We extended the deadline on 23 January and 20 February to consider the public interest test under section 43 of the FOIA, relating to commercial interests.

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

"Thank you for your email of 28 November with attached contents pages of the Mails Distribution Agreement (MDA) and the Master Service Agreement (MSA)."

Following your suggestion I would be grateful if you would disclose the following from the MDA:

pg 35-36

pg 94-98

pg 105-107.

From the MSA please can you disclose:

pg 48-59

pg 66-71

pg 74-75.

From the document titled 'Schedule 1 Services' please can you disclose:

pg 66-72.

From the document titled 'Inter- Business Agreement Between Post Office Limited and Royal Mail Limited' please can you disclose:

pg 6

pg 13-14

pg 28-30.”

We can confirm that Post Office does hold the information you have requested. Please find the disclosable information alongside this response letter, titled “FOI2024_01634_Pages from MDA1_Redacted” and “FOI2024_01634__Pages from MSA”. The “FOI2024_01634__Pages from MSA”, includes the extracts of the “Schedule 1 Services” and “Inter- Business Agreement Between Post Office Limited and Royal Mail Limited”.

Whilst we have provided the Master Services Agreement (“**MSA**”) requested sections in full, some of the information you requested in the Mail Distribution Agreement (“**MDA**”) is being withheld as it falls under the exemption in section 43(2) of the FOIA, which relates to information which would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it). In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosure.

We recognise that there is a public interest in disclosure of information concerning details of the MDA between Post Office and Royal Mail Group (“**Royal Mail**”) as this helps promote transparency in Post Office business and reassurance about the way public money is being spent. It would also provide an insight into how Post Office conducts its commercial activities.

However, there is a strong public interest in withholding the information as it would, if disclosed, prejudice the commercial interests of Post Office. This is because disclosing the MDA would be detrimental to Post Office’ commercial activities as it would be of interest to other companies we partner with, and also our competitors. There is real commercial harm that could be caused by disclosure of the MDA, not just in the ‘mails’ space, but to other products and services Post Office provide, as it would be likely to weaken Post Office’s negotiating position in the future.

Disclosure of the MDA would provide an insight into how Post Office conducts its business and the types of indemnity agreements it arranges. Should Post Office's competitors have access to this, it would allow them to use this information for future indemnity clauses and thus weaken Post Office's commercial viability. It would not be in the public interest to disclose information if Post Office would be unable to operate in a fair marketplace regarding the competitive dialogue procedure and are commercially damaged by the release of the information.

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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