



[REDACTED]

Date
20 December 2024

[REDACTED]

Post Office
100 Wood Street
London EC2V 9ER

Your Ref:

Classification:
Public

Dear [REDACTED],

Freedom of Information Request – FOI2024/01538

We are writing in response to your email received by Post Office Limited (“**Post Office**”) on 25 November, which has been dealt with under the terms of the Freedom of Information Act 2000 (“**FOIA**”).

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

“Under the Freedom of Information Act 2000, I would like to request the following information:

- Any correspondence between a) Kemi Badenoch and b) representatives of the Post Office including Henry Staunton. This should be taken to include any emails, letters and messages in any format, and refined to emails if necessary due to the cost/time limit.

Please limit the above searches to the period 2023 to 2024. If necessary, please refine this to January 2024 to March 2024 so as not to exceed the cost/time limit.

In the event that you exercise an exemption on any of the above data, please could you supply me with the scheduled dates of the correspondence.

There is a clear legitimate public interest in this disclosure. Badenoch was a secretary of state during a period when the Horizon scandal, in which postmasters were prosecuted based on faulty data, gained further recognition, and former chair Henry Staunton was also sacked during this period.”

We can confirm that Post Office does hold the information you have requested.

Please find the information attached.

We have determined that one letter dated 13 March 2023 between Nick Read and Kemi Badenoch, should be withheld in its entirety, 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 relating to Post Office's liability and tax positions, as this helps promote transparency in Post Office business and reassurance about the way public money is being spent.

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 this information relates to ongoing discussions with the government about our liability and its potential impact on Post Office.

Providing the information at this point in time is not in the public interest, as Post Office would be unable to operate fairly in the marketplace and would be commercially damaged by the release of the information.

We have also withheld some information in the attachment under section 40(2) 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 an employee who would not reasonably expect their personal details to be disclosed in relation to this request for information and signatures of the letter authors.

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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