



[Redacted]

Date  
14 November 2024

[Redacted]

Post Office  
100 Wood Street  
London EC2V 9ER

Your Ref:

**Classification:**  
Public

Dear [Redacted],

## Freedom of Information Request – FOI2024/00324

We are writing in response to your email received by Post Office Limited (“**Post Office**”) on 20 February, which has been dealt with under the terms of the Freedom of Information Act 2000 (“**FOIA**”). We sincerely apologise for the delay in responding to your request.

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

**“Please may I request, under the freedom of information act, the minutes of the post office board meetings, during which discussions were held on the subject of appointing a senior independence director to the post office, in January 2024.**”

The information can be in email form/ pdf or word.

### Clarification:

**Apologies for the confusion – thank you very much for responding so quickly to ask for a clarification.**

**We are looking for disclosure of the minutes from all Post Office board meetings that took place in January 2024 as a whole.**

**If this exceeds the limit we would ask for disclosure of the minutes from when appointing a senior independence director AND any of the board minutes prior to this and just after that mention appointing a senior independence director.”**

We can confirm that Post Office does hold the information you have requested, and we have provided the approved meeting minutes of the Board Meeting that took place in January 2024, with the email accompanying this response letter.

However, some of the information you have requested falls under the following Freedom of Information Act (“FOIA”) exemptions: section 43(2), which relates to commercial interests, section 42, relating legal professional privilege and section 40, which relates to personal data.

Section 43(2) of the FOIA, is engaged as disclosing the information would be likely to prejudice the commercial interests of Post Office and third-party organisations. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosure.

Whilst we recognise that there is a public interest in disclosure of information concerning details of Board Minutes as this helps promote transparency in how Post Office conducts its business and provides reassurance about the way public money is being spent. It also enables the public to better understand the ways of working in Post Office and how decisions are made.

The Disclosure of information relating to network activity and remuneration would prejudice Post Office's commercial interests, as it would give competitors a commercial advantage. It would not be in the public interest to disclose this 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.

Section 42 of the FOI Act exempts information in respect of which a claim to legal professional privilege could be maintained. This is a qualified exemption and therefore the public interest test has also been considered and Post Office is satisfied that the public interest in maintaining the exemption by withholding the privileged information, outweighs the public interest in disclosing it.

In reaching this conclusion Post Office has considered a variety of factors for and against disclosure, including the public interest in transparency. Against these factors Post Office notes, in particular, the strong inherent public interest in preserving legal privilege which it considers, in all the circumstances, outweighs the public interest in disclosure.

We confirm that Post Office has also withheld personal data 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). This is an absolute exemption and is not subject to the 'public interest test'.

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 names and personal details would not be expected to be disclosed under this FOIA request.

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](mailto: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](http://www.ico.org.uk/foicomplaints)

Yours sincerely,

Information Rights Team  
[information.rights@postoffice.co.uk](mailto:information.rights@postoffice.co.uk)  
<https://corporate.postoffice.co.uk/en/governance/access-to-information/access-to-information/>

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