



London Borough of Barnet,
2 Bristol Avenue,
Colindale,
London NW9 4EW
24 August 2020
Our ref: 6501500

Thank you for your request received on 13 August 2020, for the following information:

FREEDOM OF INFORMATION ACT REQUEST

In your financial accounts for the financial year 2019/20 do you have a section for 'losses and special payments'?

1. If so how much money was accounted for in the 2019/2020 financial year as being 'losses and special payments'? (Please note I am aware that the loss may have occurred many years earlier but I am interested in items which were accounted for in the last financial year, irrespective of when the loss took place.)

2. Please detail the three largest single amounts within this total, giving a cost for each loss and a detailed description of the claim and the reason for the loss.

Definition for what are Losses and Special Payments.

Categories of Loss:

*** Loss of cash ' due to theft, fraud, arson, neglect of duty or gross careless, overpayment of salary, fees and allowances and other causes including accidents.**

*** Fruitless payments ' a fruitless payment can't be avoided because the recipient is entitled to it, even though the public authority will get nothing in return. In assessing a fruitless payment, there will always be a degree of blame. For example, payment for travel tickets or accommodation that has been wrongly booked.**

*** Bad debts ' an individual debtor is a case, not every single invoice.**

*** Damage to buildings, fittings, furniture and equipment ' examples of losses under this category are: losses by fire (other than arson) and losses by weather damage, or accident beyond the control of any responsible person.**

Categories of Special Payment

*** Compensation payments made under legal obligation ' clear liability under a Court Order or legally binding arbitration award. This includes compensation for injuries to persons, damage to property and unfair dismissal.**

*** Extra contractual payments to contractors ' these are payments which are not legally due under the original contract but where there appears to be an obligation which the courts may uphold.**

*** Ex-gratia payments ' these are payments the public authority is not obliged to make or for which there is no legal liability. Examples of ex-gratia payments are:**

o Loss of personal effects, clinical negligence/personal injury, and settlement on termination of employment, extra statutory or extra regulatory payments and maladministration cases.

o Special Severance Payments ' these are paid to employees, contractors and others outside of normal statutory or contractual requirements when leaving employment in public service whether they resign, are dismissed or reach an agreed termination of contract

We have processed this request under the Freedom of Information Act 2000.

Response

I can confirm that London Borough of Barnet holds the information you requested.

However, we consider that the following exemptions apply to some of the information requested. The remaining information is not withheld and is below.

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Statement of accounts are publicly available - <https://www.barnet.gov.uk/your-council/finance-funding-and-pensions/statement-accounts>. Draft 2019/20 accounts are available on this link.

Any 'Losses and special payments' would be detailed in the notes to the accounts. This information would be fully available once the 2019/20 accounts are finalised late this year.

Refusal Notice

We consider that the qualified exemption set out in Section 22 (Information intended for future publication) applies as the Council has a settled intention to publish the information.

As Section 22 is a qualified exemption, we are also required to decide, on a case by case basis, whether the public interest in maintaining this exemption outweighs the public interest in its disclosure.

The public interest means what is in the best interests of the public not what is of interest to the public.

Factors in favour of disclosure

- Furthering the understanding and participation in the public debate of issues of the day.
- Promoting accountability and transparency by public authorities for decisions taken by them.
- Promoting accountability and transparency in the spending of public money.
- Allowing individuals, companies and other bodies to understand decisions made by public authorities affecting their lives.
- Bringing to light information affecting public health and safety

Factors in favour of withholding

- It does not represent a cost effective use of the Council's resources.
- The diversion of resources that will be necessary in providing the information requested negatively impact on its ability to deliver its core functions
- Given the nature of the exemption in this case, i.e. that the exempted information is intended for future publication it is our opinion that none of these factors weigh in favour of the public interest in disclosing that information over maintaining the exemption as none of these factors would be prejudiced by waiting for the publication of the latest information.

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information until the scheduled publication date. Therefore, the information is not provided to you.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.

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