

London Borough of Barnet
2 Bristol Avenue,
Colindale,
London, NW9 4EW
5 July 2022
Our ref: 8314250

Thank you for your request received on 16 June 2022, for the following information:

Could you please provide the details of fees associated with the cost of transactions made by the council to a third party, such as rebates, refunds, reverse-charges, including:

- actual costs/fees such as banking transaction fees, processing fees, handling fees, account charges; and,
- nominal costs such as officer/ staff time.

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

Response

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

However, we believe that the exemptions detailed below apply to this information and this is withheld. Please see the Refusal Notice below.

Could you please provide the details of fees associated with the cost of transactions made by the council to a third party, such as rebates, refunds, reverse-charges, including:

- actual costs/fees such as banking transaction fees, processing fees, handling fees, account charges; and,

See refusal notice below.

Total bank charges for 2021/22: £56,310.00

- nominal costs such as officer/ staff time.

Breakdown not held, as these functions are dealt with by Finance officers as part of their day to day roles.

Refusal Notice S43 - Commercial interests

We consider that the qualified exemption set out in Section 43 (Prejudicial to commercial interests) subsection 2 applies to the information requested. Therefore, we have decided to withhold the information.

We have concluded that this information is exempt under section 43(2) of the Freedom of Information Act 2000 (FOIA) because the disclosure of this information would be prejudicial to the London Borough of Barnet's and partners' commercial interests. This is a qualified exemption and the public interest test applies.

We have consulted our banking partners who have confirmed that the disclosure of this information would give competitors an unfair advantage in future tenders while disclosure would also prejudice London Borough of Barnet's commercial interests and bargaining position in future negotiations because contractors and suppliers may become reluctant to enter into further free and frank negotiations. This would undermine the Council's ability to fulfil its role effectively and prevent it from achieving the value for money that is so important. These interests are commercial in nature and not merely financial.

In applying this exemption, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

Factors in favour of disclosure

- Furthering the understanding, and participation in the public debate of issues
- Facilitate the accountability and transparency of public authorities for decisions taken
- Facilitate accountability and transparency in the spending of public money
- Allowing individuals to understand decisions made by public authorities affecting their lives and, in some cases, assist individuals in challenging those decisions

Factors in favour of withholding

- Council and partner's positions in a competitive environment, market sensitivity of information and potential usefulness to competitors
- Negative effect on competitiveness if competitors were to have access to information
- Loss of trust if companies fear the public authority will disclose commercial information
- Need to obtain value for money

For these reasons we consider that the public interest in withholding the information outweighs the public interest in disclosure.

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 Records & Information Management Service, Assurance Group, 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.