

London Borough of Barnet
2 Bristol Avenue,
Colindale NW9 4EW
12 December 2022
Our ref: 8686229

Thank you for your request received on 23 November 2022, for the following information:

- 1. Copies of all commercial Barnet Council public liability insurance policy certificates with what is covered, policy numbers, providers and underwriters held by Barnet Council. In particular, make sure anything regarding 'pollution liability', 'policy enhancement' and 'schedules of exclusions' documents in relation to the commercial public liability insurance policy held by Barnet Council.**
- 2. Copies of the 'certificate of indemnity' from Barnet Council that may include the public insurance provider and underwriters, confirming that any injuries, damages or adverse health effects directly or indirectly arising out of, resulting from or contributed to by electromagnetic fields, electromagnetic radiation, electromagnetism, radio waves or noise, wireless RF radiation, microwave radiation, non-ionising radiation emitting devices and equipment.**

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 believe that the exemptions detailed below apply to some/all of this information and this is withheld. Please see the Refusal Notice below.

- 1. Copies of all commercial Barnet Council public liability insurance policy certificates with what is covered, policy numbers, providers and underwriters held by Barnet Council. In particular, make sure anything regarding 'pollution liability', 'policy enhancement' and 'schedules of exclusions' documents in relation to the commercial public liability insurance policy held by Barnet Council.***

There is no 'Certificate of Public Liability' and the detail of the policy coverage is commercially sensitive – see Refusal Notice below.

2. Copies of the 'certificate of indemnity' from Barnet Council that may include the public insurance provider and underwriters, confirming that any injuries, damages or adverse health effects directly or indirectly arising out of, resulting from or contributed to by electromagnetic fields, electromagnetic radiation, electromagnetism, radio waves or noise, wireless RF radiation, microwave radiation, non-ionising radiation emitting devices and equipment.

There is no 'Certificate of Indemnity' and the detail of the policy coverage is commercially sensitive – see Refusal Notice below.

The council can confirm the current Public Liability Insurance providers are Protector Insurance.

Refusal Notice

S43 - Commercial interests

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 considered the public interest the disclosure of this information. These factors include the importance of transparency in the decision-making process relating to the spending of public money to ensure that insurance processes are conducted in an open and honest way. It is also important for the public to see taxpayers' money being used effectively and public authorities getting value for money.

We have also considered the public interest in withholding this information. If disclosed, there is a strong risk that the Council's bargaining position for the future will be prejudiced and commercial organisations 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.

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.