



**Hampshire
& Isle of Wight**
FIRE & RESCUE SERVICE

Information Compliance Team
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Sent by email to:

[REDACTED]

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Date: 30 January 2025

Our Reference: FOI 143 24-25

Enquiries to: Information Compliance Officer

Freedom of Information Act 2000

Dear [REDACTED]

We are writing in respect of your application for the release of information held by the Service, which we received on 21 December 2024. We can confirm that we have now completed our search for the information requested.

You asked:

Specifically, I would like to know the following:

The percentage or amount of subsidy that is provided by the organization for the food served in the staff canteen. This includes:

- *The amount of 'subsidy' on food **sold** to staff in the restaurant – i.e. subsidy relating to till sales only*
- *The amount of 'subsidy' on the contract as a whole*

Whether there are any specific criteria or guidelines determining the level of subsidy.

Our answer:

We can confirm that we hold the information requested. The restaurant contract is a 'cost plus' contract i.e. we pay all the actual costs of providing the service as set out in the contract including all staffing, food costs, disposables, cleaning, as well as a management fee. Subsidy is therefore estimated during budget preparation but is subject to the actual volume of services delivered and the costs of providing those services. This is invoiced monthly.

Commercial Interests

We can confirm that we hold the amount of subsidy provided by the organisation for the food serviced in the staff canteen. However, we are refusing to provide this information as it would be likely to prejudice the commercial interest of Hampshire and Isle of Wight Fire and Rescue Service, per Section 43 Commercial Interest of the Freedom of Information Act 2000. Section 43(2) provides that information is exempt from Section 1(1)(b) if disclosure would or would be likely to prejudice the commercial interest of any person (including the public authority).

As you may be aware, disclosure under the Freedom of Information Act is a release to the public at large. Releasing the amount of subsidy (or the criteria to determine it) would show the amounts that Hampshire and Isle of Wight Fire and Rescue Service is willing to pay for these services. In future tendering processes, this would be likely to cause competitors to submit bids close to this value rather than at the most competitive rates. Consequently, there would be less commercial competition for our contracts preventing us from getting the best value for money. This would, therefore, be prejudicial to our commercial interests as per Section 43(2) of the Freedom of Information Act 2000.

Public Interest Test

For this exemption to apply, the public interest in maintaining these exemptions must outweigh the public interest in disclosing the information.

Public Interest in Disclosure

There are several reasons in favour of disclosure to the public at large as follows:

- Release would give more information on how we spend money and increase the Service's transparency.
- It would provide more information contributing to the debate on the spending of public funds.
- Disclosure would also make us more accountable to the public.

Public Interest Against Disclosure

There are also reasons against the disclosure as follows:

- Disclosure would negatively impact our ability to get the best value for money, meaning we may need to reduce services in other areas.
- It would be likely to decrease the competitiveness of our tendering process and the likelihood of organisations participating in any procurement process.
- It would be likely to lead to additional funds being required from taxpayers via increased council tax contributions as we would have to spend more money on managing and maintaining our estate.

Conclusion

In this time of financial pressure on public bodies, we are particularly conscious of the need to ensure that we provide the best value for money to our residents. In this case this is achieved by ensuring our contracts are competitively pursued. The release of this information would prejudice our ability to achieve this. Consequently, we assert that the reasons against the disclosure of this information outweigh the reasons in favour of release. This is especially the case as there is an ongoing and imminent tender process.

The above concludes our investigation into this matter.

Any future correspondence with Hampshire and Isle of Wight Fire and Rescue Service in relation to this matter should be sent to the Information Compliance Officer at the above address.

If for whatever reason you are unhappy with our response you may request an internal review by contacting DP@hantsfire.gov.uk or by writing to the Data Protection Officer at the above address.

Should you remain dissatisfied you can appeal against the internal review decision by contacting the Information Commissioners Office. This can be done online at www.ico.org.uk/foicomplaints or by post to The Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.

Yours sincerely

Information Compliance Officer
Hampshire and Isle of Wight Fire and Rescue Service