

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.uk

XXXXXX – by E Mail

Date: 22nd April 2025

Your ref: FOI

Our ref: FOI 2025 / XXX

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 16th April 2025 concerning Energy Billing.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and – having consulted our Facilities and Procurement Teams - I am now able to respond as follows.

You wrote (and Our Response)

Under the Freedom of Information Act, I am writing to request the contact details of the person or department responsible for managing your organisation's energy contracts and procurement.

South West Police Procurement Service (Oversight of Contracts)Category Manager - gemma.hawkins@devonandcornwall.police.uk**Facilities Management – Wiltshire Police (check invoices and authorise payments)**Facilities Co-ordinator - facilities@wiltshire.police.uk

We are currently conducting a nationwide review into the mismanagement of energy billing across the sector. Our findings show that around 98% of businesses are being incorrectly charged — including unnecessary Climate Change Levy (CCL) charges and overpaid VAT — due to exemptions not being properly applied.



INVESTOR IN PEOPLE

To support this analysis and determine whether any corrections or refunds may be applicable, I would also be grateful if you could provide a copy of a recent electricity and gas bill (redacted where necessary) for review.

Wiltshire Police are unable to provide copies of our latest Gas and Electric bills as these are exempt by virtue of:

Section 43(2) – Commercial Interests

Section 43 is a prejudice-based exemption which means that the public authority must demonstrate that it is satisfied that to release the information, this would damage commercial interests of another. It is also a qualified exemption which means that the public authority must consider the public interesting in withholding this information.

Overall Harm

Disclosure of copies of utility bills would not only be a breach of the contract held with the supplier of our current system, it would also

- Affect our ongoing relationship with that supplier
- Disclosure of contract and/or invoice numbers could compromise the security and integrity of Wiltshire Police and the supplier
- Affect future contract negotiations
- Provide a competitive advantage to other suppliers of both Gas and Electricity to the detriment of the current provider

Public Interest Test

Factors favouring disclosure

There is a strong public interest in ensuring that public money is spent correctly and disclosing this information would adhere to the basic principles of openness and transparency.

Factors favouring non-disclosure

Wiltshire Police would never knowingly breach the terms of any contract held with a supplier as it would destroy the current relationship with that supplier and could potentially lead to legal proceedings being taken against the Force.

In addition, any disclosure of information via FOI is essentially a disclosure to the world. Attempts by applicants to access information of this nature from Wiltshire Police and other Forces could conflate the potential harm caused.

Balance Test

Whilst Wiltshire Police recognise the importance of remaining open and transparent with public, this must be weighed against the terms of any current contracts the Force holds with relevant suppliers, its' ongoing relationships with those suppliers and the fact that unnecessary or unauthorized disclosure of confidential material would hand a competitive

advantage to other suppliers of similar products or compromise the commercial position of Wiltshire Police.

It is therefore, our opinion that balance lies in favour of non-disclosure at this time.

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies. The exemption applicable to the information requested is:

- Section 43(2) – Commercial Interests

Please note

Under our Section 16 obligation to be as helpful as possible, you may find the following historic FOI response useful :-

[foi-2024-549_electricity-and-gas-contracts.pdf](#)

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Nick Penny
Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.pnn.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk