



Freedom of Information Request FOI 23 75

Unpaid Invoice Information

Query:

Please may you provide me, in Microsoft Excel or an equivalent electronic format, with a list of invoices that were not paid within 30 days for the last 6 financial years which would feed into the Regulation 113 Notice you are required to publish each year as part of your obligations under The Public Contracts Regulations 2015, with the following information for each invoice (where available):

- The name of the Supplier
- Supplier email address
- Supplier company registration number
- Supplier postal address
- Supplier telephone number
- Supplier website
- The date of the invoice
- The invoice reference
- The gross value of the Invoice
- The date the invoice should have been paid by
- The actual payment date of the invoice
- The total amount of interest liability due to late payment of the invoice
- The total amount of interest paid to the supplier due to late payment of the invoice.

For the avoidance of doubt we request the data behind payment performance summaries for Regulation 113 Notices, not the summaries themselves. We expect that this information to be readily available and easily accessible in the electronic format requested given the necessity of source data which must have been required to prepare and produce the Regulation 113 Notice.

Response:

I am afraid that we will not be able to provide you with the information you requested for the following reasons:

Section 31(1)(a) provides a prejudice based exemption which protects a variety of law enforcement interests. It is a qualified exemption, which means that it is subject to a public interest test.

We acknowledge the public interest in openness and transparency. However, disclosure of the information requested could aid a criminal to commit fraud using the details we have supplied as well as sending spearphishing and phishing emails to companies posing as DWFRS or vice versa.

Section 40(2) of the Freedom of Information Act 2000, which provides that a request for information is exempt from disclosure if the information requested



constitutes personal data about a third party. In particular we choose to rely upon section 40(3A), which provides an absolute exemption if disclosure of the personal data would contravene any of the data protection principles as defined in the Data Protection Act 2018. To provide the names, addresses, contact numbers, email addresses and invoice numbers of our suppliers would enable an individual, who may know the identity of the individual / sole trader to draw a conclusion about their financial situation. This would be unfair and contrary to the first data protection principle.

Section 12 of the Act makes provision for public authorities to refuse requests for information where the time taken to deal with them would exceed the appropriate time limit, which for public authorities is set at 18 hours. This request represents the estimated time of one person spending 17 working days to ensure we do not release third party data in relation to sole traders.

In line with the terms of this exemption in the Freedom of Information Act, we have also considered whether it would be in the public interest for us to provide you with the information, despite the exemption being applicable. In this case, we have concluded that the public interest favours withholding the information.

We will not be able to answer your request without exceeding the appropriate time limit. This is because within the scope of your request we would have to ensure that we are not releasing personal information, especially in relation to sole traders where their names, addresses and phone numbers may not be in the public domain and this would involve at least 125 hours of work. This figure has been calculated as follows:

- Approximately 15,000 entries to manually sort through
- Entries would then need to be checked to ensure the details of our sole traders are in the public domain, we anticipate this would take 30 seconds per line.
- $15000 \times 30 \text{ seconds} = 7500 \text{ minutes}$ divided by 60 = 125 hours
- 125 hours divided by 37 hrs (working week is 37 hrs) = 3.38 weeks (17 working days)

Dorset and Wiltshire Fire Service may be able to provide some of the information in the scope of your request if you reduce or refine your request to bring the cost of compliance under the limit.

However, we would be able to release the following information you requested:

- The date of the invoice
- The gross value of the Invoice
- The date the invoice should have been paid by
- The actual payment date of the invoice
- The total amount of interest liability due to late payment of the invoice
- The total amount of interest paid to the supplier due to late payment of the invoice



**DORSET & WILTSHIRE
FIRE AND RESCUE**

Please contact me if you would like to refine your request or require advice on doing so.

Information/Detail accurate on the date provided: 07, July 2023