



National Audit Office

The UK's independent public spending  
watchdog

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Reference FOI-1792  
Date 26 February 2025

## COMMUNICATIONS REGARDING THE POST OFFICE LTD CHAIRMAN'S REVIEW

Thank you for your FOI request to the National Audit Office (NAO) dated 29 January 2025. You requested:

1. *"Please can you disclose all email correspondence between the National Audit Office and UKGI starting from November 2018 which referred to the request by the NAO for a copy of any advice to Baroness Neville-Rolfe following the review set up by Tim Parker. This 2016 review was known at the time as the Chairman's Review (later referred to as the Swift Review)."*  
(See Witness Statement of Richard Watson for the Post Office Horizon IT Public Inquiry, para 47-48)
2. *"Please can you also disclose any correspondence between the NAO and the Post Office itself concerning the Chairman's Review (or Swift Review) of 2016."*

Your request has been handled under the terms of the Freedom of Information Act 2000 (FOIA).

We have checked our records and can confirm that we hold some of the information you requested. A copy of the email correspondence between the NAO and UK Government Investments (UKGI) relating to the first part of your request is attached with this response. A small amount of personal information has been withheld in accordance with Section 40(2) of FOIA (Personal information). Details of this exemption and how it applies to your request can be found in **Annex A**.

Regarding the second part of your request, we did not correspond with Post Office Ltd concerning the Chairman's Review. As such, we do not hold any relevant information.

Our policy is to respond to requests as helpfully and promptly as possible. I hope this information is helpful and you are happy with the way we have handled your request. If you are not happy with this response, you can ask for an internal review within 40 working days by writing to the NAO FOI Team at [FOI@nao.org.uk](mailto:FOI@nao.org.uk). If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The primary way of escalating your concerns to the Information Commissioner is at: <https://ico.org.uk/foicomplaints>.

Yours sincerely,

NAO FOI Team

## **Annex A**

### **Section 40, Freedom of Information Act 2000 – Personal information**

Section 40, paragraphs 1-4, of the Freedom of Information Act 2000 (FOIA) provides that:

*(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.*

*(2) Any information to which a request for information relates is also exempt information if—*

*(a) it constitutes personal data which does not fall within subsection (1), and*

*(b) the first, second or third condition below is satisfied.*

*(3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—*

*(a) would contravene any of the data protection principles, or*

*(b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.*

*(3B) The second condition is that the disclosure of the information to a member of the public otherwise than under this Act would contravene Article 21 of the GDPR (general processing: right to object to processing).*

*(4A) The third condition is that—*

*(a) on a request under Article 15(1) of the GDPR (general processing: right of access by the data subject) for access to personal data, the information would be withheld in reliance on provision made by or under section 15, 16 or 26 of, or Schedule 2, 3 or 4 to, the Data Protection Act 2018, or*

*(b) on a request under section 45(1)(b) of that Act (law enforcement processing: right of access by the data subject), the information would be withheld in reliance on subsection (4) of that section.*

### **Reasons why we have applied section 40(2):**

We are not obliged, under section 40(2) of the FOIA to disclose personal information if releasing it would contravene the UK GDPR and Data Protection Act 2018. In this instance we believe releasing individuals' direct contact details and the names of junior NAO, UK Government Investments (UKGI) and Department for Business, Energy and Industrial Strategy (BEIS) staff would contravene the first data protection principle which requires the processing of personal data to be lawful, fair and transparent. We do not consider it necessary or fair to the individuals concerned to disclose this personal information.