



Foreign &  
Commonwealth  
Office

**Finance Directorate**  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH

Website: <https://www.gov.uk>

24 May 2016

**FREEDOM OF INFORMATION ACT 2000 REQUEST REF: FOI 0454-16**

Thank you for your email of 27 April 2016 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

*This request relates to fruitless payments of over £50,000 made by your department.*

*For each of the following financial years (i) 2014/15 and (ii) 2015/16, please provide the following information in relation to each such payment:*

- a) The sum involved.*
- b) What the payment was for.*
- c) The recipient of the payment.*
- d) The date of the payment.*
- e) An explanation of why the fruitless payment was made.*
- f) An explanation of why the payment was fruitless*
- g) Whether any disciplinary investigation was instigated and, if so, the outcome in terms of whether any disciplinary action was taken.*

I am writing to confirm that we have now completed the search for the information which you requested.

I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request.

A fruitless payment, defined by Her Majesty's Treasury in their July 2013 publication "Managing Public Money," is a payment which cannot be avoided because the recipient is entitled to it even though nothing of use to the department will be received in return.

#### **For financial year (i) 2014/15**

##### **1. There was one Fruitless Payment in 2014/15 relating to Pension contributions.**

Under section 21 of the Act, we are not required to provide information in response to a request if it is already reasonably accessible to you.

Some of the information relevant to your request - *questions a), b), c) and e)* - can be found on Page 109 of the FCO's **Annual Report and Accounts 2014 -15** via the following link: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/444067/Amended\\_FCO\\_Annual\\_Report\\_2015\\_web\\_1\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444067/Amended_FCO_Annual_Report_2015_web_1_.pdf)

*Additional information:*

- d) *The date of the payment:* **March 2015.**
- f) *An explanation of why the payment was fruitless:* **The payment was deemed fruitless because the FCO paid historic liabilities for employee pension contributions on behalf of staff; this was a charge that brought no benefit to the FCO.**
- g) *Whether any disciplinary investigation was instigated and, if so, the outcome in terms of whether any disciplinary action was taken:* **The FCO has a policy that in all cases of material financial loss, such as this, there is an internal independent investigation as to whether disciplinary action is required. We can confirm that an independent investigation took place and that appropriate action was taken.**

#### **For financial year (ii) 2015/16**

The information you have requested relating to 2015-16 is exempt under Section 22 of the Freedom of Information Act as it is information intended for future publication.

Information on the FCO's Annual Accounts 2015-16 falling within the scope of your request is intended for future publication. This information will be published in the **Foreign and Commonwealth Annual Report and Accounts 2015 -16** in due course on the [www.gov.uk](http://www.gov.uk) website.

Section 22 of the FOIA is a qualified exemption which is subject to the public interest test. We have considered the public interest in releasing the information against the interest of withholding it:

There is a public interest in demonstrating transparency by releasing the information with this reply. However, we can also achieve transparency by the Government publishing this information on the [www.gov.uk](http://www.gov.uk) website.

There is a public interest in government departments providing information they hold that falls within the scope of a freedom of information request as quickly as possible. However,

we need to balance this with the public interest in government ensuring that the information provided is full and accurate. As the FCO Accounts for 2015-16 have not yet been agreed and signed off, we could not guarantee that information we provided now would be full and accurate, but the FCO Annual Report and Accounts 2015-16, when published, will have this assurance.

We have therefore concluded that the public interest in withholding this information in our response to your request outweighs the public interest in releasing it.

Once an FOI request is answered, it is considered to be in the public domain. To promote transparency, we may now publish the response and any material released on [gov.uk](http://gov.uk) in the [FOI releases](#) section. All personal information in the letter will be removed before publishing.

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Yours sincerely,

Business & Financial Planning Team

Finance Directorate



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