



Homes
England

Date: 6 January 2023

Our Ref: RFI4139

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Making homes happen

By Email Only

Information Governance Team
Homes England
Windsor House – 6th Floor
50 Victoria Street
London
SW1H 0TL

Dear [REDACTED]

RE: Request for Information – RFI4139

Thank you for your request for information which was processed in accordance with the Freedom of Information Act 2000 (FOIA).

You requested the following information:

Please also provide the following information, broken down by financial years 2019-20, 2020-21, 2021-22

- *The types of vouchers or gift cards that the organisation receives from Edenred, either directly or via the Crown Commercial Service. For example, Edenred lists the following vouchers and gift cards: compliments card, incentive award card, childcare vouchers <https://www.edenred.co.uk/en/reward-recipients/>*
- *Please specify the number of each type of voucher or gift cards purchased, and the monetary value of each. For example, the department may have received 100 vouchers worth £50, 50 gift cards worth £20 each*
- *Please provide the number of staff to receive each gift card or vouchers and the monetary value of the gift cards or vouchers provided. For example, 50 staff may have received £50 compliments cards, 20 civil servants may have received £20 childcare vouchers*

Please also, if possible, include the following information broken down by financial years 2019-20, 2020-21, 2021-22:

- *Monthly payments to the company Edenred.*

Response

We can confirm that we do hold the information you have requested. We will address each of your questions in turn.

The types of vouchers or gift cards that the organisation receives from Edenred, either directly or via the Crown Commercial Service.

Homes England receives the following vouchers from Edenred: Retail, Reward and Childcare.

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Please specify the number of each type of voucher or gift cards purchased, and the monetary value of each.

&

Please provide the number of staff to receive each gift card or vouchers and the monetary value of the gift cards or vouchers provided.

&

Please also, if possible, include the following information broken down by financial years 2019-20, 2020-21, 2021-22:

- **Monthly payments to the company Edenred.**

We can inform you that we do hold the information that you have requested in relation to the three questions above. However, we rely on section 43 (2) of the FOIA to withhold the information from disclosure.

Section 43 - Commercial interests

Under section 43(2) Homes England is not obliged to disclose information that would, or would be likely to, prejudice the commercial interests of any party.

The information requested relating to the service provided by Edenred under this contract framework engages section 43(2) of the FOIA as it is commercial in nature and its release would be likely to prejudice the commercial interests of Homes England and Edenred.

Homes England has identified that the information requested, if released, would be likely to prejudice achieving value for public money in relation to future procurements under the contract framework. Furthermore, Edenred's commercial interest would be prejudiced as competitors would have inside information relating to their performance under the contract framework.

Section 43 is a qualified exemption. This means that once we have decided that the exemption is engaged, Homes England must carry out a public interest test to assess whether or not it is in the wider public interest for the information to be disclosed.

Arguments in favour of disclosure:

- Homes England acknowledges there is a general public interest in promoting accountability, transparency, public understanding and involvement in how Homes England undertakes its work and how it spends public money; and
- Homes England acknowledges there is a public interest in the spend with commercial partners who provide services to the organisation.

Arguments in favour of withholding:

- Disclosure would allow competitors to calculate engagement levels with the service provided by Edenred. This would give competitors commercial insight into Edenred's service and therefore a potential advantage over Edenred. This would not be in the public interest as it would be likely to inflate costs in future procurement of related services from other suppliers;
- Disclosure would affect Edenred's commercial interest as disclosure of individual product line performance could affect their investment opportunities. This would be likely to result in mistrust from future suppliers, who would not want to provide services to Homes England if they felt commercially sensitive information would be released to the public domain. This would not be in the public interest as it would result in a



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smaller pool of potential suppliers to this and other frameworks, which would be likely to inflate public spend;

- Edenred is the current sole and exclusive provider to the contract framework, which is ongoing. Disclosure of pricing and insight into Edenred's commercial offering while the contractual relationship is ongoing would be likely to prejudice the confidentiality agreements in the contract between Homes England and Edenred. This would be likely to result in a breach of confidence. This could negatively affect the relationship between Homes England and our supplier and could result in disruption to the service. This would not be in the public interest as it could put public funds at risk; and
- Homes England has been unable to identify a wider public interest in disclosing the information requested.

Having considered the arguments for and against disclosure of the information, we have concluded that at this time, the balance of the public interest favours non-disclosure.

The full text of the legislation can be found on the following link:

<https://www.legislation.gov.uk/ukpga/2000/36/section/43>

Right to Appeal

If you are not happy with the information that has been provided or the way in which your request has been handled, you may request an internal review. You can request an internal review by writing to Homes England via the details below, quoting the reference number at the top of this letter.

Email: infogov@homesengland.gov.uk

The Information Governance Team
Homes England – 6th Floor
Windsor House
50 Victoria Street
London
SW1H 0TL

Your request for review must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response. Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for review will be passed to an independent party not involved in your original request. We aim to issue a response within 20 working days.

You may also complain to the Information Commissioner's Office (ICO) however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link:

<https://ico.org.uk/>



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Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

The Information Governance Team

For Homes England

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