

From: [FOI Responses](#)
To: [REDACTED]
Bcc: [REDACTED]
Subject: FOI Requests - [REDACTED] - Response
Date: 24 January 2024 14:48:00
Attachments: [image001.png](#)

Dear [REDACTED]

Thank you for your Freedom of Information request dated 8 January 2024, for information about business rates credits.

Request:

"Please can you email me a list of JANUARY or Q4 (most current) business rates credits you currently hold for businesses including:

- " The company name for whom the credit exists
- " The start date of the business rates account
- " If the account is still live or the date it ended
- " The full property address of the property with the credit on
- " The date / year of when the credit was created
- " The full amount of credit you hold for the business
- " The reason for the credit e.g., retail relief, overpayment

If you publish credits online, but the information has not been updated on time, please advise when this information will be updated".

Response:

This information is exempt from disclosure under Section 31(1)(a) of the Freedom of information Act. Section 31 exempts information from the right of access under the Freedom of Information Act if disclosure would prejudice the prevention or detection of crime.

We consider that the disclosure of the information would be likely to prejudice the prevention of crime as it is believed that if credit information were to be disclosed then these properties would become more vulnerable to acts of fraud.

As Section 31 is a qualified exemption, the Council is obliged to consider whether disclosure of the information would be in the public interest before refusing to supply the information. Therefore the Council has taken the following factors into account:

Factors in favour of disclosure

- Withholding the information could be perceived as the council attempting to retain monies that belong to the public.
- It is in the public interest to be open and transparent about our use of public funds.

Factors in favour of withholding

- There is a public interest in ensuring that monies from the public purse, such as rebates on business accounts, are not fraudulently claimed and also a public interest in not making it easier for fraud to be committed.
- City of Doncaster Councils current verification procedure for refund claims is simple and cost effective. Disclosure of the requested information would result in additional verification processes being implemented, at an additional cost to the public this is considered disproportionate to the benefits that would be accrued from disclosure.
- The additional verification procedures would also be likely to slow the verification process resulting in detriment to the genuine ratepayer which would be contrary to the public interest.
- In relation to any new verification processes that might be needed, these would require the production of additional documents by those claiming a refund which would place a new administrative burden on the majority of those legitimate claimants that does not currently exist. This would be compounded by the fact that the level of scrutiny of those documents would be higher than at present, given the increased suspicion that some of the claims (and associated documents) might well be fraudulent. The result would be that a new verification process would be likely to slow the rate at which credit balance claims could be considered and refunded, causing delay in all refunds and the likelihood of complaints, which would further burden our limited resources.
- Disclosure of the requested information would result in the need to implement disproportionate steps and additional expense to the public purse to counter an increased fraud risk that does not exist at present.
- There would be cost consequences to City of Doncaster Council should a fraudulent claim be successful, this is demonstrated as follows:
 - Costs incurred of paying out to the fraudster;
 - City of Doncaster Council would remain liable to the legitimate rate payer for an equivalent amount, raising the prospect of paying out twice; and
 - be faced with the cost (legal and incurrence of internal management time) of seeking to recover the funds wrongly paid to the fraudster.

Based on the above I do not consider that the public interest outweighs the need to protect against the risk of criminal acts being committed if City of Doncaster Council released this information at this time.

I hope that this information is useful to you.

City of Doncaster Council estimates that it has cost £46.00 to respond to this request for information.

Reviewing any decisions made:

You can ask us to review any decisions made about your request. You do this by writing to
 Freedom of Information Officer,
 Doncaster Council,
 Civic Office,

Waterdale
Doncaster,
DN1 3BU
E-mail: FOIAppeals@doncaster.gov.uk

You can apply to the Information Commissioner for a decision about our compliance or otherwise with the Freedom of Information legislation. Please contact the Commissioner for details on how to do this - telephone 01625 545700, address: Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Internet: <http://www.informationcommissioner.gov.uk/>

Yours sincerely,

Lucy McMahon
Freedom of Information Officer
Corporate Resources
City of Doncaster Council

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Address Civic Office, Waterdale, Doncaster, DN1 3BU
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