

David Johnson
By email

15 December 2008

Dear Mr Johnson

Freedom of Information requests

Dear Mr Johnson

Your requests for information were made to and received by the Learning and Skills Council (LSC) on 15 November. The requests were about a contract between the LSC and Liberata, which, as you may be aware, was terminated on 28 November.

You have made requests for the following information:

1. *the sanctions that are contractually available to the LSC for Liberata's failures with the EMA payment system.*

The LSC does hold information requested and is currently considering the public interest in disclosing the information or withholding it under section 43(2) (commercial interests) of the Freedom of Information Act 2000. The Council Solicitor advises that she considers the LSC should be in a position to provide you with a full response in relation to this request by 7 January. The LSC will write to you again as soon as it has reached a decision and by 7 January.

2. *the sanctions that the LSC is considering, or that the LSC have enforced, for Liberata's failures with the EMA payment system*

As explained by Jim Knight, Minister of State for Schools and Learners, in a Written Ministerial Statement on 25 November:

Learning and Skills Council

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“The migration of the learner support service programme contract from Liberata will have resulted in Liberata losing future revenues of more than £60 million over the remaining term of the contract. In addition, in addressing the issues caused by the failure of their proposed IT system, Liberata rightly took the decision to employ significant numbers of additional temporary staff to deal with the backlog in applications. In doing so, it has incurred extraordinary additional costs and it has been judged inappropriate to impose further additional penalties.”

By way of further assistance, the Ministerial Statement is published in Hansard and is currently accessible through the following website link:

http://www.publications.parliament.uk/cgi-bin/newhtml_hl?DB=semukparl&STEMMER=en&WORDS=knight%20liberata&ALL=knight%20liberata&ANY=&PHRASE=&CATEGORIES=&SIMPLE=&SPEAKER=&COLOUR=red&STYLE=s&ANCHOR=81125-wms0001.htm_smin1&URL=/pa/testlords/ld200708/ldhansrd/text/81125-wms0001.htm#81125-wms0001.htm_smin1

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

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