



North East Procurement Organisation  
Guildhall  
Quayside  
Newcastle upon Tyne  
NE1 3AF  
Telephone: 0191 433 5949  
Email: [governance@nepo.org](mailto:governance@nepo.org)

Dave Orr (sent by email)

16<sup>th</sup> December 2020

Dear Mr Orr,

**Freedom of Information Request.**

I refer to your request of ***Freedom of Information request - Copy of your contract with Bloom.***

**Your initial request was:**

Dear North East Procurement Organisation,

The ICO Guidance on Outsourcing and Freedom of Information requests contains the following advice:

"18. It's important to establish an objective reason for deciding whether certain information is held by a contractor on behalf of a public authority. The primary source that we would consider is the contract between the authority and the contractor. As this defines the relationship between, and the responsibilities of, the two parties, it provides an objective, evidence-based approach to resolving the issue. We recommend that public authorities should refer to the contract if they need to resolve an issue as to what information is held on their behalf. While it is unlikely that the contract will define explicitly what is held on behalf of the authority, it may indicate, for example:

- what information the contractor is required to provide to the authority for reporting and monitoring purposes,
- what information the authority has the right to see, and whether there are any conditions on that access, or
- what happens to information that is in the contractor's possession at the termination of the contract eg whether it remains with the contractor or reverts to the authority.

19. Clauses containing indications such as these can be of help in

establishing what is held on behalf of the public authority. "

**Q1. Please supply a copy of the contract[s] between NEPO and Bloom for the services provided?**

**Q2. What information is Bloom required to provide NEPO with for reporting and monitoring purposes?**

**Q3a. What information held by Bloom does NEPO have a right to see?**

**Q3b. What conditions (if any) apply to NEPO access to information held by Bloom?**

**Q4. On termination of the NEPO contract with Bloom does information remain with Bloom or does it revert to NEPO?**

Yours faithfully,  
Dave Orr

**NEPO's response:**

Thankyou for your Freedom of Information request received 19th November 2020. Please find response to the questions asked below:

**Q1. Please supply a copy of the contract[s] between NEPO and Bloom for the services provided?**

Can you please confirm which of the contracts you are requesting?

NEPO awarded NEPRO(2) which ran from 2015 – 2019, this Framework was then replaced by NEPRO(3) which was established in 2019.

Both contracts are with Bloom Procurement Services Ltd. These contracts have bespoke Terms & Conditions relating to the services provided under that Agreement. Therefore NEPO needs to clarify which contract and which terms you are requesting, to ensure we can support this request.

**Q2. What information is Bloom required to provide NEPO with for reporting and monitoring purposes?**

As above these terms are bespoke to each agreement, and NEPO needs to ensure the relevant terms are applied to this question.

**Q3a. What information held by Bloom does NEPO have a right to see?**

As above these terms are bespoke to each agreement, and NEPO needs to ensure the relevant terms are applied to this question.

**Q3b. What conditions (if any) apply to NEPO access to information held by Bloom?**

As above these terms are bespoke to each agreement, and NEPO needs to ensure the relevant terms are applied to this question.

**Q4. On termination of the NEPO contract with Bloom does information remain with Bloom or does it revert to NEPO?**

As above these terms are bespoke to each agreement, and NEPO needs to ensure the relevant terms are applied to this question.

**RIGHT TO REVIEW**

You may apply to the Managing Director, Guildhall, Quayside, Newcastle upon Tyne, NE13AF, for an internal review of the decision. This will be a fresh consideration of your request by a more senior officer. If you wish to request a review must do this in writing within 40 days of receipt of this letter.

Following the internal review if you are still unhappy you have a right of appeal to the Information Commissioner as specified below.

You may apply under Section 50 of the Act to the Information Commissioner at the address given below

Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

For a decision whether, in any specified respect, a request for information made by you to the Department/office has been dealt with in accordance with the requirements of Part 1 of the Act.

The Information Commissioner shall consider the matter fully and make a fresh decision.

Yours Sincerely

North East Procurement Organisation Governance Team.