

## Corporate Administration

NHS Greater Glasgow and Clyde  
Corporate HQ  
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Telephone: 0141 201 4460

Mr Stephen Leighton

SENT BY EMAIL:

[request-652272-  
e34391c2@whatdotheyknow.com](mailto:request-652272-e34391c2@whatdotheyknow.com)

<b>Date</b>	2 April 2020
<b>Your Ref</b>	
<b>Our Ref</b>	BRD / RG / FOI 15864
<b>Direct Line</b>	0141 201 4460
<b>Email</b>	<a href="mailto:foi@ggc.scot.nhs.uk">foi@ggc.scot.nhs.uk</a>

Dear Mr Leighton

### **REQUEST FOR INFORMATION FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 FOI REQUEST 15886 : Advocacy Services**

Thank you for your request received on 6 March 2020 for the provision of the following information:-

***I am looking for copies of the contracts in place for advocacy services over the last 5 years.  
I am also looking for the criteria used to determine which advocacy service that you've  
selected.***

***I am looking for any information on how you advertise for advocacy services, and any  
accompanying information about how a service can bid for a contract for advocacy.***

We are treating your request under our procedures for responding to requests for information under the Freedom of Information (Scotland) Act 2002. The information that we are able to provide in response to your request is given below.

**I am looking for copies of the contracts in place for advocacy services over the last 5 years.**

NHS GGC can confirm the contracts awarded in the last five years are as follows:

- Forensic Advocacy Services
- Advocacy Services for Mental Health
- Dementia
- Learning Disability
- Physical Disability In-Patient Services
- Community Services & Prison Healthcare

We decline to provide this information, on the grounds of commercial sensitivity. Under Section 33(1)(b) of FOISA a Scottish public authority may decline to provide information if it considers that, "its disclosure under this Act would, or would be likely to, prejudice substantially the commercial interests of any person (including, without prejudice to that generality, a Scottish public authority)".

We consider that disclosure of the information would have a substantial effect on the commercial interests of both NHS GGC and other organisations. The contracts contain information that constitute an integral element of business modelling and service provision. In addition, the submissions also include information that provide a detailed commercial picture to potential rival companies with regard to costing approaches and would allow competitors to work out detailed costing of various elements. It is therefore considered that this information is commercially sensitive as it would prejudice the competitiveness of those organisations who seek to provide these services in what is a highly specialized and consequently relatively small market-place.

When using this exemption from providing information, public authorities are obliged to apply the 'Public Interest' test, *ie* to show that withholding this information is in the public interest. NHSGGC has an obligation to ensure effective oversight of public funds, and that it obtains the best possible arrangements in the procurement of goods and services; in order to achieve this it is important that potential bidders operate in a competitive environment, and have confidence in dealing with us. We therefore consider that it is not in the public interest to provide this information.

Award notices for all Advocacy Services tendered and awarded can be found on the Public Contracts Scotland Website.

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

**I am also looking for the criteria used to determine which advocacy service that you've selected.**

The document named "FOI Request 15886 – Scoring Criteria Methodology" accompanying this correspondence provides the information requested.

**I am looking for any information on how you advertise for advocacy services, and any accompanying information about how a service can bid for a contract for advocacy.**

NHSGGC can confirm that all tender opportunities are advertised on the Public Contracts Scotland website.

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

I also provide for your attention below link to the procurement page of the NHSGGC website.

<https://www.nhsggc.org.uk/about-us/procurement/>

This includes our Contract Register, which provides a list of all current contracts.

In addition, a copy of NHSGGC's Joint Advocacy Strategy is included for your information.

I hope that this is helpful. If you are not satisfied with our response to your request, you have a right to request a review of this decision within 40 working days of receiving this response. The attached note describes our review procedure. Your request for review must be in permanent form and should state:

- That you are asking for a review of this decision and
- Why you are unhappy with the response you have received.

If you wish us to carry out a review, please complete the form enclosed and return it to the Head of Corporate Governance and Administration, NHS Greater Glasgow & Clyde, Corporate HQ, JB Russell House, Gartnavel Royal Hospital, 1055 Great Western Road, Glasgow G12 0XH or by email to [foi@ggc.scot.nhs.uk](mailto:foi@ggc.scot.nhs.uk)

If following a review you remain dissatisfied with the outcome, you have the right to ask for advice, assistance or to make a formal appeal in writing to the Scottish Information Commissioner within six months of receiving the outcome of a review. The Commissioner can be contacted at: Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS or at [www.itspublicknowledge.info/Appeal](http://www.itspublicknowledge.info/Appeal)

If following appeal to the Scottish Information Commissioner you still remain dissatisfied with the outcome, you have a right of appeal to the Court of Session on a point of law against the decision of the Scottish Information Commissioner.

Should you require any clarification about this letter or the right to request a review please contact me at the details at the top of the first page of this letter.

Yours sincerely

*Russell Greig*

**Russell Greig**  
**Freedom of Information Officer**

Standard Enclosures:

FOI Requirement for Review document

Request for Review form