

Date: 31 March 2017



Your Reference:

Our Reference: 20900366

Enquiries to: Peter Williams

Ms Vicky Pizer
request-393535-7ff989ec@whatdotheyknow.com

**Information and Records
Management**

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Dear Ms Pizer

Re: Freedom of Information Act 2000

Your request for information, received on 6 March 2017, has now been considered.

1. What is the value of spend on temporary staff from recruitment agencies by Camden Borough Council in 2015 - 2016?

Please ensure a gross spend value is detailed and include all spend associated to any contract let for the management/provision of temporary staff by a contracted provider (whether Vendor neutral or Master vendor)

The gross spend as described above was £20,159,579.82 (Jan 15-Dec15)

2. If you have a Framework in place for the provision of temporary staff, please tell me:

a. The titles and content of the relevant frameworks

Eastern shires Purchasing Organisation (ESPO)

b. Who is on the current frameworks

- Adecco, Brook Street, Comensura, de Poel, Guidant Group, Hays, Manpower, Matrix, Pertemps, Randstad Sourceright, Reed, Retinue, Swanstaff.

c. The start and end dates of the frameworks

Start date: 11 Apr 2015

End date: 10 Apr 2017

d. Any possible extension periods to the frameworks

Extension: Up to 10 Apr 2019

e. The name and contact email of person responsible for the frameworks. [And:]

f. The current performance of suppliers that are on the framework against their agreed KPIs.

The name and contact details are subject to an exemption under the Act. Please see the exemption notice for personal information below.

There is a generic email address that is not personal: resources@espo.org. Quote reference: Framework 653F

3. Please can you attach a copy of the framework agreement of the supply of agency/temporary staff between Camden Borough Council and the parties/organisations it was let to.

This information is commercial sensitive for both the council and the contractors concerned. Please see the exemption notice for commercial interests set out below.

4. If you have a managed service provider (MSP) in place for the provision of temporary agency staff, please provide the following;

a. How was the contract to manage/provide the supply of agency/temporary staff let?

Mini competition through the ESPO framework

b. Who was the contract to manage/provide the supply of agency/temporary staff let to?

Matrix SCM

c. When was the contract to manage/provide the supply of temporary/agency staff to Camden Borough Council let?

January 2013

d. When did the contract to manage / provide the supply of temporary / agency staff commence, how long does it run for and what is the end date?

Commenced: January 2013, a 3 year contract with an option of a 1 year extension

5) If you have an MSP in place, Please can you attach a copy of the contract for the management/provision of the supply of agency/temporary staff between Camden Borough Council and the party/organisation the contract was let to

This is commercially sensitive between the client and agency service provider. Please see the exemption notice for commercial interests set out below.

Exemptions

1. section 43(2): Commercial Interests

Section 43(2) states *"Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it)."*

A commercial interest relates to a person's ability to participate competitively in a commercial activity, i.e. the purchase and sale of goods or services.

This exemption applies because:

- 1) The information is commercially sensitive for both the Council and the contractors
- 2) The disclosure under the Act would be likely to prejudice the commercial interests of both the Council and the contractor.
- 3) The information relates to the procurement of existing services and current prices in a competitive market environment, and release of this information would be prejudicial to the financial interests of both the Council and the contractor. Release of the information would:
 - a) allow the contractors competitors to gain an unfair advantage from knowing the commercial details and pricing structure charged for services
 - b) reduce the ability of the Council to purchase services competitively by revealing how much it is prepared to pay and so increase the cost to the Council

The public interest arguments for releasing this information are as follows:

- It would allow the public to know the details of the costs of the services purchased

- It allows transparency of decisions on how public funds are spent

The public interest arguments for withholding the information are as follows:

- The position of the contractors concerned in current or future negotiations may be jeopardised if information on how they are able to offer their services at a price and their profit margins is released
- The contractors' position in a competitive environment would be weakened by revealing market-sensitive information or information of potential usefulness to its competitors
- It is not in the public interest to potentially damage the commercial interests of an organisation seeking to do business with the Council
- The Council's position in negotiations with prospective contractors will be jeopardised if this information is released
- It would have a detrimental impact on the Council's ability to obtain value for money

It is considered that the public interest in withholding the information outweighs the public interest in disclosing it. Therefore we are unable to provide you with this aspect of the information you have requested.

2. section 40(2): Personal information

Information has been withheld that is considered to be the personal information of workers for outside agencies. This information includes names and contact details that could lead to their identification or an invasion of privacy.

This exemption applies because the information requested contains personal information as defined by the Data Protection Act 1998, and the release of this information would breach the first principle, which states firstly that data should be processed fairly and lawfully.

Secondly, certain conditions for processing must be satisfied. The conditions for processing are found in Schedules 2 and 3 of Data Protection Act 1998. At least one Schedule 2 condition must be satisfied for processing to be in accordance with the first principle.

In the Council's view these conditions have not been satisfied and the information is therefore exempt from release under the Act. This exemption is absolute and this letter constitutes a refusal notice under the terms of the Act.

Workers for outside agencies would have no expectation that their personal information would be released into the public domain.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice.

Notes

Please note the information is still covered by copyright legislation. You are not authorised to re-use this information for commercial or research purposes as defined by the Re-Use of Public Sector Regulations 2005. If you do wish to re-use this information please contact the Information Access Team, Legal Services/ Second Floor, Camden Town Hall, Judd Street, London WC1H 9JE, who will assess your request.

If you are unhappy with any aspect of the way in that your request has been processed then you have the right to issue a complaint. If you wish to issue a complaint, please set out in writing your grounds of appeal (within 2 months of this correspondence) and send it to: Access to Information Team, Legal Services, Camden Town Hall, Judd Street, London, WC1H 9LP and your complaint will be administered through our Internal Review procedure.

If you are still not satisfied following the Internal Review, you have a right to appeal to the Information Commissioner's Office. They can be contacted at: Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

Telephone: 01625 545 700

www.ico.gov.uk

Yours sincerely

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