



Chris Smith

By email to: request-1051755-41642446@whatdotheyknow.com

22 December 2023

Dear Chris,

Freedom of Information Request Reference FOI-1483255

Thank you for your request dated 26 November to the Department of Health and Social Care (DHSC), a copy of which can be found in the accompanying annex.

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

DHSC holds information relevant to your request.

For **part c. DHSC PPE Vendors' standard operating procedure - see Order Form Section 10**, please see attached document 'Document 14 4.2.4 Appendix 2 - DSHC One World GTM Vendor Manual (1).pdf'.

For parts a, b, d and e, this information is being withheld under section 31(1)(a)(b)(c) and (g) which is where disclosure of information may prejudice:

- a) the prevention or detection of crime;
- b) the apprehension or prosecution of offenders;
- c) the administration of justice; and
- g) the exercise by any public authority of its functions for any of the purposes specified in subsection (2).

Regarding our use of 31(1)(g), where section 31(2) is engaged, we are claiming the following purposes:

- a) ascertaining whether any person has failed to comply with the law; and
- b) ascertaining whether any person is responsible for any conduct which is improper.

Section 31 is a qualified exemption and, as such, we are required to assess the public interest in withholding this information against that of its release.

DHSC is aware that there is a clear public interest in disclosure of information and recognises that openness in government may increase public trust in and engagement with the government. It also recognises a public interest in assuring the public that effective arrangements are in place for the prevention and detection of crime.

Our assessment is the release of the information requested, at this time, may undermine an ongoing investigation, and/or prejudice the outcome of any future court proceedings. It

may also be contrary to the public interest to disclose information which would facilitate the commission of crime.

Consequently, DHSC is satisfied that the information you have requested remains exempt under section 31(1)(a)(b)(c) and (g) of the FOIA.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be sent to freedomofinformation@dhsc.gov.uk or to the address at the top of this letter and be submitted within two months of the date of this letter.

Please remember to quote the reference number above in any future communication.

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

Guidance on contacting the ICO can be found at <https://ico.org.uk/global/contact-us> and information about making a complaint can be found at <https://ico.org.uk/make-a-complaint>.

Yours sincerely,

Freedom of Information Team
freedomofinformation@dhsc.gov.uk

Annex

From: Chris Smith <request-1051755-41642446@whatdotheyknow.com>
Sent: 26 November 2023 14:14
To: FreedomofInformation <freedomofinformation@dhsc.gov.uk>
Subject: Freedom of Information request - Contract documents PPE Medpro

Dear Department of Health and Social Care,

Please provide copies of the following documents referred to in the DHSC contract with PPE Medpro dated 30th May 2020 for facemasks worth £80,850,000 (see Contract Award Notice [Supply of Personal Protective Equipment for Healthcare Workers for the Care of Patients with Suspected or Confirmed Novel Coronavirus \(COVID-19\) - Contracts Finder](#) Procurement reference CF-0029900D00000000rwimUAA1)

- a. Purchase order - see Schedule 1 Section 4 of the contract document published on Contracts Finder.
- c. DHSC PPE Vendors' standard operating procedure - see Order Form Section 10 b.
- Schedule 2 General terms and conditions
- d. Schedule 3 Definitions and Interpretations
- e. Schedule 4 Additional Special Conditions

Yours faithfully,

Chris Smith

Please use this email address for all replies to this request:
request-1051755-41642446@whatdotheyknow.com