

P Jenkins

request-529978-f3fb6a0b@whatdotheyknow.com

26 November 2018

Dear P Jenkins

ATISN 12750 - Contravention of the Working Wales Tendering Requirements

Thank you for your request which I received on 3 November 2018. You asked:

'ACT has advertised a position for a 'Head of Working Wales Programme' across Wales (this seems to be for the Working Wales Youth Engagement Lot as this is the only pan-Wales programme being procured?).

The post has been widely advertised across recruitment websites since 1/11/18. This seems to be in advance of Welsh Government's notification of the award decision and in contravention of the OJEU standstill requirements of a mandatory standstill period of at least ten calendar days following the notification of an award decision.

Please advise:

a) whether this is in contravention of the tendering requirements and the OJEU standstill obligation

if so,

b) does WG consider this action a serious breach of the tendering/standstill process

c) what actions/sanctions will be taken to remedy this contravention

d) whether Welsh Government has confidence in the contractor to execute its duties under the contract given its apparent lack of understanding of tendering/contractual requirements.'

I can confirm that Welsh Government has acted in accordance with the terms of PCR 2015. PCR 2015 does not place similar obligations on bidders regarding standstill obligations. ACT has not contravened PCR 2015.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

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