

Mr C Graham  
request-47591-3a2ffaf5@whatdotheyknow.com

18 October 2010  
FOIA reference: F0001058

Dear Mr Graham

I am writing in respect of your recent application of 13 October 2010, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

*I would like to request the current "Schedule of Contracts" information from the department that deals with procurement. I understand that there is a legal requirement for public bodies to compile a register of contracts detailing, but not included to:*

- *What the contract is for*
- *Who the contract is with*
- *The contract value*
- *The length of the contract*
- *The start and expiry date of each contract*
- *Any other supporting information.*

Our response:

In assessing your request in line with the provisions of the Freedom of Information Act 2000, we are pleased to be able to attach the information requested, for Contracts for the procurement of goods, works and services. However, with reference to your bullet point 3. 'The contract value'; while the information you requested is held by us, upon consideration, we believe that it is exempt from disclosure under Part II of the Freedom of Information Act. In particular, we believe the following exemption applies to this information:-

**Section 43 (2)**

*(2) 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).*

We believe that disclosure of the information would prejudice the commercial interests of our service providers by allowing competitors to outbid it in future procurement exercises. Furthermore, if the prices in the contract were disclosed it would lead to the service providers who were bidding for future contracts putting in bids which were just below those agreed for the current contract, rather than more competitive bids. This

Civil Aviation Authority

Aviation House GW Gatwick Airport South Crawley West Sussex England RH6 0YR [www.caa.co.uk](http://www.caa.co.uk)

Telephone 01293 768512 [rick.chatfield@caa.co.uk](mailto:rick.chatfield@caa.co.uk)



would inhibit the CAA's ability to obtain services on the best possible financial terms in future and obtain good value for money.

As this is a qualified exemption, we have also considered whether in all the circumstances of the case, the public interest in withholding the information outweighs the public interest in disclosing the information.

The CAA recognises the general public interest in the promotion of accountability and transparency in the spending of money. However, the CAA is not publicly funded and, therefore, in ensuring we obtain value for money to efficiently direct financial resources towards our regulatory functions, in accordance with Better Regulation principles, it is of greater public interest not to inhibit the CAA's ability to procure the best possible services.

In all the circumstances of the case we have reached the decision that the public interest in withholding the information in relation to this exemption is greater than disclosing it.

In addition to Section 43 (2), some information under your bullet point 3., 'The contract value' relates to individuals who are sole traders. We, therefore, consider that Section 40 of the Act is engaged as this information is deemed as 'Personal information' and is considered private. Releasing this information may reveal an individuals financial status. This is an absolute exemption and is not, therefore, subject to the public interest test.

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

Mark Stevens  
External Response Manager  
Civil Aviation Authority  
Aviation House  
Gatwick Airport South  
West Sussex  
RH6 0YR

[mark.stevens@caa.co.uk](mailto:mark.stevens@caa.co.uk)

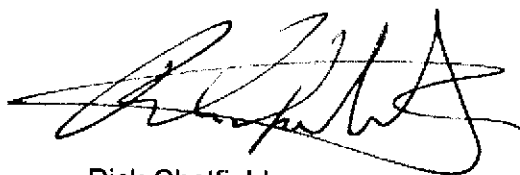
The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set in the attachment.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office  
FOI/EIR Complaints Resolution  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
[www.ico.gov.uk/complaints.aspx](http://www.ico.gov.uk/complaints.aspx)

Should you wish to make further Freedom of Information requests, please use the e-form at <http://www.caa.co.uk/foi>.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rick Chatfield', written over a horizontal line.

Rick Chatfield  
FOIA & EIR Case Manager

## CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;
- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;
- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.