



Cabinet Office

Room 405  
70 Whitehall  
London, SW1A 2AS

foi-team@cabinetoffice.gov.uk  
[www.cabinetoffice.gov.uk](http://www.cabinetoffice.gov.uk)

Emily Blunt

By email: [request-751921-20fccf1a@whatdotheyknow.com](mailto:request-751921-20fccf1a@whatdotheyknow.com)

FOI Reference: FOI2021/09728  
20/05/2021

Dear Emily Blunt

I refer to your request where you asked:

*"I would be most grateful if you would provide me, under the Freedom of Information Act, details in respect to the contract below.*

*Non Clinical and Temporary Fixed Term Staff:*

<https://www.contractsfinder.service.gov.uk/Notice/70b221a2-6c8f-47f0-8a83-fcea2e631d78>

*The details we require are:*

- *Suppliers who applied for inclusion on each framework/contract and were successful & not successful at the PQQ & ITT stages*
- *Actual spend on this contract/framework (and any sub lots), from the start of the contract to the current date*
- *Start date & duration of framework*
- *Is there an extension clause in the framework(s)/contract(s) and, if so, the duration of the extension?*
- *Has a decision been made yet on whether the framework(s)/contract(s) are being either extended or renewed?*
- *Who is the senior officer (outside of procurement) responsible for this contract?"*

I am writing to advise you that following a search of our paper and electronic records, I have established that some of the information you requested is held by the Cabinet Office, including the Crown Commercial Service (CCS).

The information provided relates to the information held by CCS on the framework agreement, not call-off contracts made by customer authorities under the framework agreement.

This framework agreement was awarded using the open procedure. Consequently, there was no PQQ stage in the award process. The successful supplier details, start date and duration of this framework agreement are already disclosed on the CCS website at the following link: <https://www.crowncommercial.gov.uk/agreements/rm6160>

This information is therefore exempt under section 21(1) of the FOI Act, which exempts information that is held by the public authority if it is reasonably accessible to the applicant by other means at the time of the request.

This framework had a 2 year initial term with two extension options each of 12 months (2+1+1). Both years of extension have already been taken. The People Pillar Director is fundamentally responsible for this framework agreement. Spend per lot of this framework agreement (accurate as of 19/5/2021) is as follows:

<b>Commercial Agreement &amp; LOT</b>	<b>Lot No.</b>	<b>Evidenced Spend</b>
Non Clinical Temporary and Fixed Term Staff - Admin and Clerical Supply	1	£38,207,170
Non Clinical Temporary and Fixed Term Staff - Corporate Functions	2	£146,950,802
Non Clinical Temporary and Fixed Term Staff - IT Professionals	3	£88,508,154
Non Clinical Temporary and Fixed Term Staff - Legal Supply	4	£9,469,969
Non Clinical Temporary and Fixed Term Staff - Clinical Coding	5	£1,641,626
Non Clinical Temporary and Fixed Term Staff - Ancillary Staff	6	£61,224,120

I am withholding the list of unsuccessful suppliers for this framework agreement, as I believe that the disclosure of this information would be likely to prejudice the commercial interests of the unsuccessful suppliers and the Crown Commercial Service, consistent with the exemption at Section 43(2) of the Freedom of Information Act.

Section 43 is a 'qualified' exemption, which means that it is subject to a public interest test. In reaching the eventual decision, I have considered various factors of the public interest test, both in favour of disclosure and in withholding the requested information, which are discussed below:

Factors in favour of disclosing the requested information include:

- The Crown Commercial Service is committed to openness and transparency in its commercial activities, to allow public scrutiny and to demonstrate that public funds are being used in an efficient and effective way;
- Private sector companies engaging in commercial activities with the public sector must expect some information about those activities to be disclosed throughout the lifecycle of all commercial arrangements;

Factors in favour of withholding the requested information include:

- Disclosure may cause damage to an unsuccessful suppliers reputation, affecting the supplier's competitive position in their respective market and confidence that its customers, suppliers or investors may have in its commercial operations;
- Potential bidders for future contracts may be deterred from competing and sharing information with us, which would negatively impact upon the quality and quantity of Governments' supplier base;
- The Crown Commercial Service must retain commercial confidence of all parties when they choose to engage in commercial activities with the department.

After weighing up the competing public interest considerations, I have determined that the balance of public interest is in favour of withholding this information requested under Section 43(2) of the FOIA.

If you have any queries about this letter, please contact the FOI Team quoting the reference number above.

If you are unhappy with the service you have received in relation to your request or wish to request an internal review, you should write to:

Rachel Anderson  
Head of Freedom of Information  
Cabinet Office

70 Whitehall  
London  
SW1A 2AS

email: [foi-team@cabinetoffice.gov.uk](mailto:foi-team@cabinetoffice.gov.uk)

You should note that the Cabinet Office will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued. If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by Cabinet Office. The Information Commissioner can be contacted at:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely

A handwritten signature in black ink, appearing to be 'J. Smith', is written over a light blue rectangular stamp. The signature is fluid and cursive.

FOI Team  
Cabinet Office