

# Scottish Courts and Tribunals Service



Mr J W Marsh

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By email: request-543487-  
849eca3b@whatdotheyknow.com

5<sup>th</sup> February 2019

Our Ref: FOI 2019 009

Dear Mr. Marsh,

## **Freedom of Information (Scotland) Act 2002 (FOISA)**

Thank you for your request for information, received by this office on 10<sup>th</sup> January 2019, relating to the 'provision of live transcription services to the Clutha Fatal Accident Inquiry':

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

I should firstly indicate that the contract award process in relation to the provision of transcription services is currently ongoing and accordingly the contract has not yet been finalised.

Once a contract award decision has been reached, a contract award notice will be published on the Public Contracts Scotland website containing information on the number of suppliers applying for the contract, the successful bidder and the information sought in points 2 and 3 of your request. Section 27 of FOISA provides that information is exempt from release if it is held by a public authority with a view to its being published at a date not later than twelve weeks after the date on which the request for the information is made. As it is expected that the contract will be awarded and the award notice published on the Public Contracts Scotland website within the next 14 days that part of your request is refused in terms of section 27 of FOISA.

Information on applicants is considered to be exempt in terms of section 33(1) (b) of FOISA as it is considered that it would be likely to prejudice substantially the commercial interests of those applicants and the Scottish Courts and Tribunals Service in revealing details during the bidding process. As regards points 4 and 5, there is a provision for the contract to be extended should the FAI exceed its anticipated length of 26 weeks. The duration of any extension is not known at this time. Further information can be found at:

[https://www.publiccontractsscotland.gov.uk/search/show/search\\_view.aspx?ID=NOV335900](https://www.publiccontractsscotland.gov.uk/search/show/search_view.aspx?ID=NOV335900)

In relation to the final point of your request, I can advise that the senior officer (outside of procurement) responsible for this contract is Richard Maconachie, in his role as chair of the Clutha Fatal Accident Inquiry Project Board.

I hope you find this information of assistance. However should you feel dissatisfied with this decision or the manner in which your request has been handled, the Act provides for a review process to be conducted. Should you wish to take advantage of this process you may apply in writing for a review. Your request should provide details of why you wish a review to be carried out and should be made within 40 working days of receipt of this letter to:-

The Freedom of Information Officer  
Scottish Courts and Tribunals Service  
Saughton House  
Broomhouse Drive  
Edinburgh  
EH11 3XD  
[foi@scotcourts.gov.uk](mailto:foi@scotcourts.gov.uk)

Following that review should you still feel dissatisfied, you have the right to lodge an appeal with the Scottish Information Commissioner either online:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

or at the following address:-

Office of the Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St. Andrews  
FIFE  
KY16 9DS

Yours sincerely

Ruari Peoples  
Correspondence Officer