

12<sup>th</sup> July 2017

OUR REFERENCE: FOI/RFI-1785/Scott

Dear Mr Scott,

Your request for information received on 22<sup>nd</sup> June 2017 has now been considered.

*Please could you provide me with the total value of spend on staff recruitment agencies, which agencies were used, and how much was spent with each agency for the academic year 2015/2016.*

The response to your request is as follows:

**Total Spend in 2015/2016 = £1,739,262.27**

**Agencies Used**

Agency Name
NIGEL WRIGHT CONSULTANCY
COMENSURA LIMITED
NIGEL FRANK INTERNATIONAL LTD
NIGEL WRIGHT EMPLOYMENT
NORTHERN RECRUITMENT GROUP PLC
RANDSTAD CPE CREDIT SERVICES
FD RECRUIT
FORWARD DESIGN INNOVATION LTD
HARVEY NASH
LORNA MICHAELS RECRUITMENT
SEARCH CONSULTANCY LTD

**Spend By Agency**

I can confirm that this information is held by the University, however it is withheld from disclosure because it falls under the exemption in Section 43 (2) of the Freedom of Information Act relating to Commercial Interests.

Vice-Chancellor and Chief Executive  
Professor Andrew Wathey

## **Section 43 Commercial Interests**

*(1) Information is exempt information if it constitutes a trade secret.*

*(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).*

*(3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice the interests mentioned in subsection (2).*

This exemption applies because the University considers that the release of such information could prejudice the commercial interests of the supplier.

Because this is a qualified exemption under the Act, Northumbria University has had to balance the public interest in withholding the information against the public interest in disclosing it.

### **The factors considered when deciding where the public interest lay include:**

- The general public interest in understanding levels of expenditure on goods and services made by Northumbria University in order to aid the transparency of spending of public money

### **The reasons for determining that the public interest favours withholding the information are:**

- Providing information in response to a Freedom of Information Act request is akin to publishing the information for the world to see, therefore any information released would be considered 'in the public domain' and accessible to other suppliers.
- To publicise the spend with individual suppliers, we would be providing potential information to expose the fee structure in place with that supplier, and could impede the University's ability to obtain value for money in future negotiations over contractual relationships with agencies.
- Whilst suppliers are aware of the obligations of the Freedom of Information Act on both public authorities and the companies themselves, there is still an expectation that a degree of confidence will attach to the commercially sensitive information.
- Publication of this information would allow other suppliers an insight into the amount currently paid by the University to their competitors. This would in turn enable them to potentially adjust their own fee structures in an effort to "undercut" the existing suppliers in future tenders. Harming a supplier's ability

to bid for further work in a highly competitive market would damage their commercial interests.

- Release may also restrict the number of companies willing to work with the public sector for fear of losing a commercial advantage if their pricing structures.
- The public interest in expenditure can be satisfied with the total amount provided.

The Public interest therefore lies in withholding data at this time.

If you are unhappy with our response or the way your request has been handled, you have the right to ask for an internal review. To request a review, please contact the Records and Information Manager, in writing at the above address or via email. The review would be undertaken by Jay Wilson, the University's Head of Legal.

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

Should you remain dissatisfied following an internal review, you may then appeal to the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 01625 545 700

Yours sincerely

Duncan James

Records and Information Manager