

Response to Request for Information

Reference: 1674512
Date: 29/09/2021

Second contract with V4 Services Ltd

In November 2018 two internal audit reports on the use of consultants were presented to members of the Audit & Accounts Committee at Cambridgeshire County Council (CCC) (https://cambridgeshire.cmis.uk.com/ccc_live/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/813/Committee/9/Default.aspx - Agenda Item 7).

The second report (Appendix 2) – was entitled “Internal Audit Review - V4”. It was about the council’s commercial relationship with V Services Ltd – a consultancy incorporated in 2008 by four senior officers at Peterborough City Council (including the Deputy Chief Executive). V4 Services was introduced to CCC in 2015 by its new Chief Executive shortly after her appointment to the role. CCC’s CEO is also the CEO of Peterborough City Council.

FOI request

On page 6 of the Appendix 2 report (section 4.2) reference is made to a “second contract with V4 Services dated 1st April 2016”. Please send me an unredacted copy of that second contract.

Cambridgeshire County Council has now considered your request under the Freedom of Information Act. We can confirm that we do hold the information requested by you. Please find our response as set out below.

Please find attached a copy of the contract.

Please note some information has been redacted under the following section(s) of the Freedom of Information Act:

Section 40 of the Freedom of Information Act 2000 states:

40 Personal information.

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if –

(a) it constitutes personal data which do not fall within subsection (1), and

(b) the first, second or third condition below is satisfied.

(3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—

(a) would contravene any of the data protection principles, or

(b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.

First it is necessary to establish if the information withheld constitutes personal data.

Section 3(2) of the Data Protection Act 2018 (“DPA”) defines “personal data” as “any information relating to an identified or identifiable living individual”. The “processing” of such information includes “disclosure by transmission, dissemination or otherwise making available” (s.3(4)(d) DPA), and so includes disclosure under FOIA.

As the information includes names and signatures of third-party individuals then publishing the information would constitute processing personal data. As the information is the personal data of individuals other than the requestor, the local authority must consider whether disclosing it would contravene the UK GDPR data protection principles. Information should not be disclosed if it would contravene any of the principles.

The principle which is likely to be relevant is principle (a). This requires the processing of personal data to be lawful, fair and transparent.

In order for the disclosure to be lawful it must satisfy one of the UK GDPR Article 6 ‘lawful bases’.

There are six lawful bases for processing in Article 6, but only (a) consent or (f) legitimate interests are relevant to disclosure under FOI or EIR.

The local authority does not have specific consent of the data subjects to disclose this personal information and as such disclosure would not be transparent. The disclosure of the personal data of third-party individuals is not necessary for the purposes of the general legitimate interest in transparency regarding the council’s procurement of services. The data subjects would not reasonably expect that their identity or signatures would be published to the world at large. As the processing of personal information must be lawful, fair and transparent, this disclosure would contravene the first data protection principle. This is an absolute exemption and there is no requirement to consider the public interest.

Complaints

I hope this information is helpful but if you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review, you should write to Information Management, at either foi@cambridgeshire.gov.uk or by post at Box No. SCO2306, Cambridgeshire County Council, Scott House, 5 George Street, Huntingdon, PE29 3AD within 40 days of the date of this e-mail.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, or via their website: <https://ico.org.uk/>.

Generally, the ICO will not undertake a review or make a decision on a request until the internal review process has been completed.

