



Department of Health & Social Care

Freedom of Information Team
Department of Health and Social Care
39 Victoria Street
London SW1H 0EU

www.gov.uk/dhsc

Ms Amanda Hart
request-699498-9b3c23f3@whatdotheyknow.com

27 November 2020

Dear Ms Hart,

Freedom of Information Request Reference FOI-1263936

Thank you for your request dated 15 October, in which you asked the Department of Health and Social Care (DHSC):

“Background: On 14th October 2020 it was revealed that your department is paying 'Test and Trace' consultants £7500 per DAY.

Fol request: Please kindly provide the documentation showing the job title(s) of the person(s) who authorised such payments to executives at Boston Consulting Group.”

Your request has been handled under the Freedom of Information Act (FOIA). Please accept my apologies for the delay in our response.

DHSC neither confirms nor denies whether we hold information relevant to your request.

Section 43 of the FOIA states that:

(3) The duty to confirm nor deny does not arise if, or to the extent that, compliance with section 1(1)(a) of the Act would, or would be likely to, prejudice the interests mentioned in subsection (2).

DHSC considers that confirming whether the requested information is held would engage the provisions of section 43(2), on the basis that it would prejudice the commercial interests of DHSC.

Section 43 is a qualified exemption and DHSC has considered whether the public interest in maintaining the exemption of the duty to confirm or deny outweighs the public interest in confirming whether or not DHSC holds this information.

The Department recognises the significant public interest in transparency in Government, particularly in relation to its work on the COVID-19 pandemic, as this increases public trust and engagement.

However, this has to be weighed against a public interest in safeguarding commercial interests. In this instance, confirming whether or not we hold information would be likely to prejudice DHSC's ability to secure best value in its commercial arrangements. In this case, it has been decided that

the public interest in maintaining the exclusion outweighs the public interest in confirming or denying whether the information is held.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of this letter and sent to FreedomOfInformation@dhsc.gov.uk, or to the address at the top of this letter.

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

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/concerns/>

Yours sincerely,

Piper Hewitt-Dudding
Freedom of Information Officer
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