

Request Title: Call off contracts

FOI Reference: PSC-101091-G3F1

Date of Disclosure: 20/09/2022

Date Range: 2022

FOI Request:

I am doing a research project investigating call-off contracts in the public sector. I have identified some potential call-off contracts awarded by NHS Property Services, but I can't find details of the framework agreements they were awarded from.

I have attached an Excel file that contains the information I am looking at. The last two columns ("Title of framework used" and "Contracts Finder or TED link of framework agreement") is where I am missing information - please could you fill these in.

Please note that I have identified these contracts as possible call-off contracts, so some of them might not be. Some could be, for instance, procured directly (without being called off from a framework agreement), or could be themselves notices of the establishment of a framework agreement. Therefore I would kindly ask you to specify in these incidences what kind of procurement was used in the "Title of framework used" column.

I have provided the title, description, details of the email contact from the notice, the publication date, and procedure type used to award each potential call-off, as well as a URL link to the call-off in question and a unique reference ID for each potential call-off. Please let me know if there is anything else you need to complete the request.

If you do not feel like this request could be completed in good time, please could you work down the list and do as much of a subset as you can?"

Our Response:

Please find attached, title of framework and link to the framework agreement used for each of the listed call-off contract.

Ted or Contracts Finder Link has not been provided by virtue of Section 21 of the FOIA. This means the information requested is readily accessible in the public domain.

Section 21 - Information accessible to applicant by other means.

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)—

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

Section 21 is an absolute exemption and where information falls within the scope of an absolute exemption, a public authority is not obliged to communicate it to an applicant and is also not obliged to comply with the duty to confirm or deny the existence of the information requested.