

15 January 2025

FOI Ref 17444

Request - You asked us the following:

I am writing to submit a Freedom of Information request for information related to the organisation's contracts register, procurement strategy document, and contact details. Please find the detailed requests below:

1. Contract Register Request:

I am seeking the full and entirety of the organisation's contract register or database. The register should include the following columns/headings or something similar:

- Contract Reference -Unique reference number associated with the contract.
- Contract Title
- Procurement Category –
- Supplier Name
- Spend (Total, Annual or contract value)
- Contract Duration
- Contract Extensions
- Contract Start Date
- Contract Expiry Date
- Contract Description [Please provide me with as much detail as possible.]
- Contact Owner (Person that manages the contract register)
- Contact details of section 151 officer
- CPV codes/Pro-Class
- How many contracts are currently held on the contract register

If any of the headings within your contract register has not been provided, please state this within your response.

Please provide the contract's register file in Excel format.

2. Procurement Strategy Document Request:

- Can the organisation provide a full version of their Procurement Strategy for the fiscal year 2024-2025?

· If the Procurement Strategy is a strategic direction (2022-2025) instead of an annual plan, please provide an update document for 2023-2024. If an update cannot be provided, please provide information on when an update is planned to be published.

- We require the full document. If any parts of this document have been removed, please state this within your response.

3. Contact Details Request:

- Provide contact details of the person responsible for API or data sharing, including [Name, Job Title, Telephone, Email Address].
- Provide contact details of the person responsible for the actual contract's register, including [Name, Job Title, Telephone, Email Address].

IMPORTANT:

In the past I have received a response from the Council and have been given a link for the contract register (Chest) which only holds 157. I have been told by the procurement department that the Council has around 700 contracts. Please can you provide me with the full contract register.

1. If the organisation has a CRM system or a similar system, ensure there is a facility to download and extract contract data.
2. If providing a weblink to a portal, ensure that all contracts are included, as some organisations may only upload a small portion of their contracts.
3. For organisations planning to make an exemption around spend, clarify that the spend information requested is an overall figure, and a complete breakdown is not required.

Please provide the contract's register file in Excel format.

We received your request on 07/11/2024 and have processed this under the Freedom of Information Act (FOIA).

Staffordshire Police's response to your enquiry is as follows:

Staffordshire Police holds some of the requested information.

• 1. Contract Register Request:

I am seeking the full and entirety of the organisation's contract register or database. The register should include the following columns/headings or something similar:

- Contract Reference -Unique reference number associated with the contract.
- Contract Title
- Procurement Category –
- Supplier Name
- Spend (Total, Annual or contract value)
- Contract Duration
- Contract Extensions
- Contract Start Date
- Contract Expiry Date
- Contract Description [Please provide me with as much detail as possible.]



- Contact Owner (Person that manages the contract register)
- Contact details of section 151 officer – **Partially disclosed, (section 40) John Bloomer.**
- CPV codes/Pro-Class
- How many contracts are currently held on the contract register – **Disclosed, 396.**

If any of the headings within your contract register has not been provided, please state this within your response.

Please provide the contract's register file in Excel format. – **Partially disclosed (section 31) (section 43), please see the accompanying file entitled 'FOI 17444 Contract Register, Procurement Strategy, and Contact Details Data'.**

Please be advised. we do not record CPV codes and the supplier name is accessible by other means. However, this is not available in excel format at this current time. Please see the section 16 advice and assistance section.

2. Procurement Strategy Document Request:

- Can the organisation provide a full version of their Procurement Strategy for the fiscal year 2024-2025? – **Withheld (section 21), please see the advice and assistance section below.**

- If the Procurement Strategy is a strategic direction (2022-2025) instead of an annual plan, please provide an update document for 2023-2024. If an update cannot be provided, please provide information on when an update is planned to be published. – **Withheld (section 21), please see the advice and assistance section below.**

- We require the full document. If any parts of this document have been removed, please state this within your response. – **Withheld, (section 21) please see the advice and assistance section below.**

Please be advised a new policy is currently being drafted.

- 3. Contact Details Request:

- Provide contact details of the person responsible for API or data sharing, including [Name, Job Title, Telephone, Email Address]. – **No information held.**

- Provide contact details of the person responsible for the actual contract's register, including [Name, Job Title, Telephone, Email Address]. – **Partially disclosed (section 40), please see below:**

CommercialServices@staffordshire.police.uk

IMPORTANT:

In the past I have received a response from the Council and have been given a link for the contract register (Chest) which only holds 157. I have been told by the procurement department that the Council has around 700 contracts. Please can you provide me with the full contract register.

- 1. If the organisation has a CRM system or a similar system, ensure there is a facility to download and extract contract data. – **Disclosed, there is a facility and excel is the output.**
- 2. If providing a weblink to a portal, ensure that all contracts are included, as some organisations may only upload a small portion of their contracts. – **Disclosed, weblink provided to support excel, see section 16 advice and assistance.**
- 3. For organisations planning to make an exemption around spend, clarify that the spend information requested is an overall figure, and a complete breakdown is not required. – **Partially disclosed, (section 43), contract values provided please see the accompanying file entitled 'FOI 17444 Contract Register, Procurement Strategy, and Contact Details Data'.**

Please provide the contract's register file in Excel format. – **Disclosed, please see the accompanying file entitled 'FOI 17444 Contract Register, Procurement Strategy, and Contact Details Data'.**

The following exemptions have been applied:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for parts of this particular request.

- Section 21(1) - Information reasonably accessible by other means.

Section 21 is an absolute, class-based exemption and as such there is no requirement to quantify the harm that may arise from the disclosure, nor is there a requirement to perform a Public Interest Test.

- Section 40(2) Personal Information

Section 40(2) is an absolute exemption which means that there is no need to quantify the harm that may arise from the disclosure; neither is it subject to a public interest test.

To release personal or third-party information held by Staffordshire Police, would breach the data protection principles; namely –

- Data is lawfully and fairly processed.
- Processed in line with an individual's rights.
- Data is secure.

Personal and third-party information cannot be released under the Freedom of Information Act.

Disclosure under Freedom of Information is a release of information to the world in general and not an individual applicant.

- Section 31 (1) (a) (b) - Law Enforcement.

Information is exempt from disclosure under S31 (1) (a) (b) where the release of Information would, or would likely to, prejudice the prevention and detection of crime and/ or the apprehension or prosecution of offenders. This exemption is qualified and prejudice-based and, as such, we are required to evidence the harm in disclosure and apply the public interest test.

- Section 43(2) Commercial Interests

This is a prejudice based qualified exemption which means there is a requirement to provide evidence of harm and a public interest test needs to be considered.

Harm:

The information relating to contracts, if released into the public domain, would harm Staffordshire Police's negotiating position with regards to future contracts for equipment or services. There are commercially confidential clauses within contracts which are not permitted to be shared to the wider public.

Public Interest Test

Factors favouring disclosure under Section 43(2)

Staffordshire Police would find that its negotiating position would be greatly impaired by releasing details that would not only be prejudicial to Staffordshire Police but also to the agencies/companies involved. Releasing this information would have a detrimental effect on their ability to be competitive in the future

Factors favouring non-disclosure under Section 43(2)

Through disclosure of the requested information, Staffordshire Police would find that its negotiating position would be greatly impaired through the release of details that would not only likely be prejudicial to Staffordshire Police but also to the agencies/companies involved. Releasing this information would be expected to have a detrimental effect on their ability to be competitive in the future and would be exceedingly likely to deter further enterprises submitting offers for tender in the future. This then would impede Staffordshire Police obtaining the most competitive or appropriate services in the future and negatively impact upon the public purse.

Balance test

It is the responsibility of Staffordshire Police, when dealing with commercial businesses, to not only protect their commercial interest but also that of Staffordshire Police. Commercial interests must be protected so that the best possible value for money is obtained through open competition, both for businesses and Staffordshire Police. This would not be achieved if full details were to be made available to the market. Although the use of public funds must be open and transparent, Staffordshire Police is accountable for the money that it spends and utilizes and if to release the information means the force is unable to negotiate future tendering and have the ability to secure value for money due to business relationships having been impaired, then this would not be in the public interest.

Having considered the public interest test factors, we are required to determine whether, on balance, the factors favoring disclosure outweigh those which are against disclosure. It is our view that the factors favoring disclosure do not outweigh those which favor withholding the details. Therefore, Staffordshire Police declines to provide the information for the reasons stated above.

Harm:

The release of some contractual information specifically around contract description, supplier name and product used by Staffordshire Police, could reveal capabilities available to the force and consequently

give important information to those with criminal intent. The release of this information combined with detailed information readily available on the internet, would allow criminals to identify the strengths and weaknesses of our capabilities. They would be able to use information in planning terrorist and criminal acts.

The release of this information would therefore impact on the prevention and detection of crime, the apprehension of terrorists and criminals and increase the fear of crime in the community Staffordshire Police, seeks to serve.

Public Interest Test

Factors favouring disclosure under Section 31(1)(a)(b)

There is a public interest in knowing how public money is being spent in ensuring value for money both at the point of purchase, and also in respect of what those resources are to be used for.

Factors favouring non-disclosure under Section 31(1)(a)(b)

There is a strong public interest in ensuring Staffordshire Police's effective law enforcement capability. Disclosure of supplier identities and product information together with contract descriptions would mean that individuals could research details about capabilities available to the force. This may allow terrorists and criminals the opportunity to assess strengths and any possible weaknesses of these capabilities. This would compromise law enforcement which could lead to more crime being committed and individuals being placed at risk. This information may also be used by criminals/terrorists in combination with other information they have gathered to try and disrupt law enforcement.

Balance test

When considering whether disclosure is appropriate, we must weigh the strongest reason for disclosure against the strongest reasons for non-disclosure. In this case, whilst the factors favouring disclosure are important in that it would adhere to the basic principle of being open and transparent, we believe when weighed against the risk of disclosure undermining our ability to prevent and detect crime and hindering our ability to protect the public, then non-disclosure takes precedence.

Advice and assistance

In order to comply with our obligations under Section 16 of the Act, the obligation to provide advice and assistance, please find below links to the information requested.

- Question 1, the link is available at this webpage for BLPD database:
[Contracts and Tenders - Staffordshire Commissioner](#)
- Question 2 - [Published items - 15354 | Staffordshire Police](#)

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Staffordshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing within two months of the date of receipt of this email, and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Central Disclosure Unit within two months of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by another Decision Maker who is independent from the original Decision Maker. The Central Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within 20 working days. In more complex cases the review may take up to 40 working days.

The independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

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



STAFFORDSHIRE
POLICE

ICO Website for complaints link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Central Disclosure Unit