



# Ministry of Defence

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21 July 2016

Ref. FOI2016/6675

Dear

Thank you for your email of 30 June 2016 requesting the following information:

*"A copy of all notifications of conflict of interest by Capita Business Services to the Authority (which I take to be the Ministry of Defence) from when the contract was signed to the present day"*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence, and I can confirm that some of the information in scope of your request is held.

All information relating to the Conflict Of Interest provisions in the contract is supplied to the Ministry under a strict commercial in confidence caveat. The Authority has received representations from the Strategic Business Partner to the effect that to disclose all potential conflicts of interest between the Strategic Business Partner parent firms and the Ministry of Defence would provide an insight into the strategic direction of the businesses resulting in advantage to a competitor if released into the public domain. As a consequence, the Ministry has concluded that the relevant information is exempt under the terms of Section 43 of the Act (Commercial interests), in conjunction with Section 41 (Information provided in confidence), and should not be disclosed.

Under Section 16 (advice and assistance), for your information there is a monthly exchange on Conflict of Interest between the parties to the Contract as part of the performance metrics for the contract whereby actual and potential conflicts of interest are identified and disclosed. Actual conflicts of interests have been identified on three occasions since the award of the Contract. In all three cases, the Contractor voluntarily withdrew from any subsequent business pursuit.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 2<sup>nd</sup> Floor, Zone N, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.uk](mailto:CIO-FOI-IR@mod.uk)). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act.

Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

DIGA Secretariat