

Date: 07/03/19
Our Ref: RFI2614
Your Ref: FOI Request – Board Document
Tel: 0300 1234 500
Email: foi@homesengland.gov.uk



Homes
England

[REDACTED]
By Email Only

Windsor House
50 Victoria Street
London
SW1H 0TL

Dear [REDACTED]

RE: Request for Information – RFI2614

Thank you for your recent email, which was processed under the Freedom of Information Act 2000 (FOIA). For clarification, you requested the following information:

I am looking for more information on two items in Homes England board minutes.

The first, in item two in this document, talks about a report on 'lessons to be learned from the Avenue Coking Works project'. Was this report completed and could I please get a copy?

The second, in this document, mentions in item seven a contract with Boston Consulting Group. Could you provide me with any more information about that contract and any relevant documents, including the contract itself if possible?

Response

We will address each of your questions in turn.

1) The first, in item two in this document, talks about a report on 'lessons to be learned from the Avenue Coking Works project'. Was this report completed and could I please get a copy?

Section 22 - Information intended for future publication

We are able to inform you that we do hold the information that you have requested. However, we rely on section 22, exemption where information is intended for future publication under the FOIA.

The full text of the legislation can be found on the following link.

<https://www.legislation.gov.uk/ukpga/2000/36/section/22>

Section 22 is a qualified exemption. This means that in order to withhold information under this exemption, we must consider the public interest in disclosure.

Public Interest Test – Factors in favour of disclosure

Homes England is compliant with the government agenda of transparency and recognises the benefit of publishing the information, particularly when it concerns how Homes England undertakes its work.

Public Interest Test – Factors in favour of non-disclosure

Homes England believes that it should not disclose the report that is held at this moment in time as it would not be in the public interest to share the report via the Freedom of Information channel. The report will be shared in the future once it has been analysed and reviewed by Homes England. The report will then be shared to the wider public with further context.

Date: 07/03/19
Our Ref: RFI2614
Your Ref: FOI Request – Board Document
Tel: 0300 1234 500
Email: foi@homesengland.gov.uk

After careful consideration we have concluded that at this time, the balance of the public interest favors the non-disclosure of the report at this moment in time.

2) The second, in this document, mentions in item seven a contract with Boston Consulting Group. Could you provide me with any more information about that contract and any relevant documents, including the contract itself if possible?

Section 43 - Commercial interests

We are able to inform you that we do hold the information that you have requested. However, we rely on section 43, an exemption where information would be likely to prejudice the commercial interests of the Agency and a third party under the FOIA.

The full text of the legislation can be found on the following link.

<https://www.legislation.gov.uk/ukpga/2000/36/section/43>

Section 43 is a qualified exemption. This means that in order to withhold information under this exemption, we must consider the public interest in disclosure.

Public Interest Test – Factors in favor of disclosure

Homes England is compliant with the government agenda of transparency and recognizes the benefit of publishing the information, particularly when it concerns how Homes England undertakes its work.

Public Interest Test – Factors in favor of non-disclosure

Homes England believes that it should not disclose the contract held between Homes England and The Boston Consulting Group. To disclose a copy of the contract would be likely to prejudice ongoing commercial and contractual obligations between the Agency and the third party. This would prejudice the ability of Homes England to effectively manage the specific terms and conditions of the agreement which would not be an effective use of public money.

It is also our view that disclosure of this agreement could be detrimental concerning future requests for copies of completed contracts between the Agency and third parties, if the wider public is provided with information that could be used to exploit information for profit or other gain.

After careful consideration we have concluded that at this time, the balance of the public interest favors the non-disclosure of the contract.

Advice and Assistance

In compliance with the Section 45 Code of Practice and to offer advice and assistance under section 16 of the FOIA we can confirm that the contract that is held with The Boston Consulting Group UK LLP was awarded via the Crown Commercial Service RM3745 Management Consultancy Framework. Details of the framework itself are available via Crown Commercial Service website.

The link below will direct you to the relevant page.

<https://ccs-agreements.cabinetoffice.gov.uk/contracts/rm3745>

Date: 07/03/19

Our Ref: RFI2614

Your Ref: FOI Request – Board Document

Tel: 0300 1234 500

Email: foi@homesengland.gov.uk

Right to Appeal

If you are not happy with the information that has been provided or the way in which your request has been handled you may request an internal review by writing to;

The Information Access Team

Windsor House

50 Victoria Street

London

SW1H 0TL

Or via email to foi@homesengland.gov.uk

You may also complain to the Information Commissioner however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link

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

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

Information Access Team

for Homes England.