



Homes
England

Date: 24 October 2023

Our Ref: RFI4493

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

██████████
By Email Only

Dear ██████████

RE: Request for Information – RFI4493

Thank you for your request for information which was processed in accordance with the Freedom of Information Act 2000 (FOIA).

You requested the following information:

Homes England Asbestos Services - City Hospital, Birmingham:

<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.contractsfinder.service.gov.uk%2FNotice%2Fe78deb5b-f1bf-4cd8-8536-73e3b6c43dc4&data=05%7C01%7Cinfogov%40homesengland.gov.uk%7C27f8c2d59811475e97a608dbbf64ea3f%7Cfaa8e2690811453882e74d29009219bf%7C0%7C0%7C638314213448373662%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C1000%7C%7C%7C&sdata=fBq4O36pVpxbxtR4sHiHaUa6gXT2qOTDawJmRsPN7dQ%3D&reserved=0>

The details we require are:

- Actual spend on this contract/framework (and any sub lots), from the start of the contract to the current date
- Start date & duration of framework/contract?
- Is there an extension clause in the framework(s)/contract(s) and, if so, the duration of the extension?
- Has a decision been made yet on whether the framework(s)/contract(s) are being either extended or renewed?
- Who is the senior officer (outside of procurement) responsible for this contract?





Homes England

Date: 24 October 2023

Our Ref: RFI4493

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Response

We can confirm that we do hold some of the requested information. We will address each of your questions in turn below with separate responses in relation to the contract and the framework.

Contract

- **Actual spend on this contract (and any sub lots), from the start of the contract to the current date**

The actual spend to 29 September 2023 for the contract was £68,004.25.

- **Start date & duration of contract?**

We can inform you that we do hold the information that you have requested. However, we rely on section 21, exemption where some of the information is available to the applicant elsewhere.

The full text of the legislation can be found on the following link and we have quoted section 21 below for ease.

<https://www.legislation.gov.uk/ukpga/2000/36/section/21>

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.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made





Homes England

Date: 24 October 2023

Our Ref: RFI4493

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. We can advise that the start date and duration of the contract is published on Contracts Finder which can be accessed via the below link using the reference "DN539882" and ensuring to select "Awarded Contract" under "Procurement Stage".

<https://www.contractsfinder.service.gov.uk/Search>

- **Is there an extension clause in the contract(s) and, if so, the duration of the extension?**

There is an option to extend the contract for 18 months with 5 extensions available.

- **Has a decision been made yet on whether the contract(s) are being either extended or renewed?**

There is currently no decision on whether the contract is to be extended or renewed.

- **Who is the senior officer (outside of procurement) responsible for this contract?**

We can inform you that we do hold the information that you have requested. However, we rely on Section 40 (2) of the FOIA to withhold the information from disclosure.

Section 40 – Personal information

We are withholding information on the grounds that it constitutes third party personal data and therefore engages section 40(2) of the FOIA.

To disclose personal data, such as names, contact details, addresses, email addresses and personal opinions could lead to the identification of third parties and would breach one or more of the data protection principles.

Section 40 is an absolute exemption which means that we do not need to consider the public interest in disclosure. Once it is established that the information is personal data of a third party and release would breach one or more of the data protection principles, then the exemption is engaged.





Homes England

Date: 24 October 2023

Our Ref: RFI4493

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

The full text in the legislation can be found on the following link:

<https://www.legislation.gov.uk/ukpga/2000/36/section/40>

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. To comply with this duty we are able to confirm that the commercial team can be contacted through our enquiries desk via the following routes:

Email: enquires@homesengland.gov.uk

Telephone: 0300 1234 500

Framework

- **Actual spend on this framework (and any sub lots), from the start of the contract to the current date**

The actual spend to 29 September 2023 for the framework was £874,847.

- **Start date & duration of framework?**

We can inform you that we do hold the information that you have requested. However, we rely on section 21, exemption where information is available to the applicant elsewhere.

The full text of the legislation can be found on the following link and we have quoted section 21 below for ease.

<https://www.legislation.gov.uk/ukpga/2000/36/section/21>

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





Homes England

Date: 24 October 2023

Our Ref: RFI4493

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

(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.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. We can advise that the start date and duration of the framework is published on Contracts Finder which can be accessed via the below link using the reference "DN367600" and ensuring to select "Awarded Contract" under "Procurement Stage".

<https://www.contractsfinder.service.gov.uk/Search>

- **Is there an extension clause in the framework(s) and, if so, the duration of the extension?**

There is no extension clause in the framework.

- **Has a decision been made yet on whether the framework(s) are being either extended or renewed?**

We can confirm that the framework is not being renewed.

- **Who is the senior officer (outside of procurement) responsible for this contract?**

We can inform you that we do hold the information that you have requested. However, we rely on Section 40 (2) of the FOIA to withhold the information from disclosure.

Section 40 – Personal information

We are withholding information on the grounds that it constitutes third party personal data and therefore engages section 40(2) of the FOIA.





Homes England

Date: 24 October 2023

Our Ref: RFI4493

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

To disclose personal data, such as names, contact details, addresses, email addresses and personal opinions could lead to the identification of third parties and would breach one or more of the data protection principles.

Section 40 is an absolute exemption which means that we do not need to consider the public interest in disclosure. Once it is established that the information is personal data of a third party and release would breach one or more of the data protection principles, then the exemption is engaged.

The full text in the legislation can be found on the following link:

<https://www.legislation.gov.uk/ukpga/2000/36/section/40>

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. To comply with this duty we are able to confirm that the commercial team can be contacted through our enquiries desk via the following routes:

Email: enquires@homesengland.gov.uk

Telephone: 0300 1234 500

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. You can request an internal review by writing to Homes England via the details below, quoting the reference number at the top of this letter.

Email: infogov@homesengland.gov.uk

Information Governance Team
Homes England
Windsor House
6th Floor
42-50 Victoria Street
London

6th Floor
Windsor House
42 - 50 Victoria Street, Westminster
London, SW1H 0TL

0300 1234 500
@HomesEngland
www.gov.uk/homes-england





Homes England

Date: 24 October 2023

Our Ref: RFI4493

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

SW1H 0TL

United Kingdom

Your request for review must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response. Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for review will be passed to an independent party not involved in your original request. We aim to issue a response within 20 working days.

You may also complain to the Information Commissioner's Office (ICO) 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,

The Information Governance Team

For Homes England

