

Derby City Council – Response

ID Reference FOI812573264

Date 15/07/2024

TD1771 - Provision of Security Services:

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.contractsfinder.service.gov.uk%2FNotice%2F0d549c24-d084-47bd-bfb4-8fb181a86766&data=05%7C02%7Cfoi%40derby.gov.uk%7Cb93fcb61a41f44e80fd708dc9ffbcb77%7C0d3ae6223706422c8a6992b85125fc4e%7C0%7C0%7C638561151039025326%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikh1haWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=FlcSd0ZRYwQOdGvs88xcE7eyJjMtOGK%2F1S2kxX6yeZk%3D&reserved=0>

Information Requested	Response
1. What are the contractual performance KPI's for this contract?	We have monthly report and 3 monthly contract meetings.
2. Suppliers who applied for inclusion on each framework/contract and were successful & not successful at the PQQ & ITT stages • 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?	Suppliers who applied for inclusion on each framework/contract and were successful & not successful at the PQQ & ITT stages: Advantage1 Limited, Amberstone Security Limited, CDX Security Ltd, E.M.S. (Security Services) Limited, Frontline Security 24/7 Ltd, Hulk Security Services Ne Ltd, Innovative Security Solutions Ltd, IPM Group UK Ltd, ITUS Security Solutions Ltd, MadiganGill Resource Limited, MPD FM Limited, NVC Security Limited, Octavian Facilities Management Limited t/a Octavian Security UK, Profile Security Services Limited, Regent Office Care Ltd, Security Kings Ltd Actual spend on this contract/framework: 01/11/2022 – 31/03/2024 - £709,379.20 01/11/2022 - 31/10/2025. There will be an option to extend the contract for 1 year subject to satisfactory performance and business needs. Maximum contract period is 4 years.
3. Could you please provide a copy of the service/product	Attached is the Specification used for the most recent tender



specification given to all bidders for when this contract was last advertised?	
4. Is there an extension clause in the framework(s)/contract(s) and, if so, the duration of the extension?	There will be an option to extend the contract for 1 year subject to satisfactory performance and business needs. Maximum contract period is 4 years.
5. Has a decision been made yet on whether the framework(s)/contract(s) are being either extended or renewed?	No.
6. Who is the senior officer (outside of procurement) responsible for this contract?	<p>Section 40(2) Personal data third party by virtue of section 40(3)(a)(i)</p> <p>Under section 40(2) by virtue of section 40(3A) (a), personal data of a third party can be withheld if it would breach any of the data protection principles to disclose it.</p> <p>Personal data is defined under the Data Protection Act 2018 as data that is biographical in nature, has the applicant as its focus, and/or affects the data subject's privacy in his or her personal, professional or business life.</p> <p>The Council has also considered whether disclosure would contravene Principle (a) of Article 5(1) of the General Data Protection Regulations - GDPR which requires 'information must be processed fairly, lawfully and in a transparent manner'. In this case the individuals would have a reasonable expectation that information would be not be processed if it resulted in their identification.</p> <p>Disclosures under the FOIA is to the world at large and will remain in the public domain indefinitely. Therefore, provision of this information would exceed the original reason for processing this information which was for the officer responsible for the contract and</p>



	<p>would not be lawful or fair to the individuals in question.</p> <p>The Information Commissioner's guidance on releasing third party personal data of employees of an organisation states 'It is reasonable to expect that a public authority would disclose more information relating to senior employees than more junior ones...the disclosure must not cause unwarranted interference with the rights, freedoms and legitimate interests of the employee'.</p> <p>The individual employees concerned would not expect their names and direct contact details to be disclosed to a third party. They are not in a public facing role and do not make strategic service decisions. This expectation is further supported by the fact that it is the Council's standard practice not to disclose the name/contact details of employees below Head of Service level.</p> <p>We do not have, nor do we consider it reasonable to seek the consent of the individual(s) concerned.</p> <p>It is for this reason that disclosure in relation to this particular piece of information has been refused under 40(2) by virtue of section 40(3A)(a) FOIA 2000.</p>
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Please note, the following applies, if the response includes council officers (or other officers) names.

If you are a company that intends to use the names and contact details of council officers (or other officers) provided for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference. You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk



For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

