



16 August 2022

Dear [REDACTED],

Freedom of Information request: FOI2022/00234

Thank you for your Freedom of Information request received on the 18 July in which you requested the following:

Your request:

I am writing to enquire about UKRI past, current and future consulting and professional services (C&PS) contracts (UK Gov The Consultancy Playbook) relating to the Industrial Decarbonisation Challenge, UK Industrial Clusters, Net Zero and Energy transition.

Companies will likely include Costain, Arup, PA Consulting, Deloitte, and the like.

I would be grateful if you could advise whether the following information is available and where I could find it:

- *Commercial pipeline for C&PS consulting and professional services (see attached as available from BEIS)*
- *List of 2020-21 spend on C&PS (as below headers available from Cabinet Office)*
Date, Expense Type, Expense Area, Supplier, Transaction number, Amount

Our response

I can confirm that UK Research and Innovation (UKRI) hold information relevant to your request for a list of 2020-21 spend on C&PS. Please see the information attached, titled FOI2022-00234 CPS Spend FY20-21. This related to all C&PS spending for UKRI in 2020/2021.

We are exempting some information under section 40(2) of the FOIA, as this information is the personal data of third parties. Disclosing this information would contravene the first Data Protection Principle as defined under Section 86 of the Data Protection Act 2018 and Article 5 of UK General Data Protection Regulation (UK GDPR). Section 40(2) is an absolute exemption and does not require a public interest test.

We are unable to provide information on the commercial pipeline for C&PS (Consulting and Professional Services) under Section 43 (2) of the Freedom of Information Act (FOIA), which exempts information whose disclosure would, or would be likely to, prejudice the commercial interests of any legal person (an individual, a company, the public authority itself or any other legal entity). This is a qualified exemption, meaning that a test was carried out to determine whether the public interest outweighs the requirement for commercial confidentiality.

Public interest in favour of disclosure

- There is a general public interest in the disclosure of this information to ensure transparency and openness of a public organisation.
- Specifically, there is a public interest in transparency around how public organisations plan to spend public funding.

Public interest in favour of withholding the information

- The [Public Contracts Regulations \(2015\) Regulation 18](#)¹ states 'contracting authorities shall treat economic operators equally and without discrimination and shall act in a transparent and proportionate manner. The design of the procurement shall not be made with the intention ... of artificially narrowing competition ... where the design of the procurement is made with the intention of unduly favouring or disadvantaging certain economic operators.' Releasing this information in response to this request may unduly favour some suppliers, by allowing them to become aware of potential procurements earlier than other suppliers. As this is information UKRI does not publish as part of the publication scheme, it would also advantage the suppliers wishing to provide C&PS services to UKRI over suppliers of other services.

UKRI has reached the view that, on balance, the public interest is better served by withholding the selected information under section 43(2) of the FOIA.

It should be noted that the pipeline UKRI holds related only to potential procurements over £100k. UKRI does not capture a pipeline of procurements under £100k, and therefore does not hold this information.

If you have any queries regarding our response or you are unhappy with the outcome of your request and wish to seek an internal review of the decision, please contact:

Head of Information Governance


Email: foi@ukri.org or infogovernance@ukri.org

Please quote the reference number above in any future communications.

If you are still not content with the outcome of the internal review, you may apply to refer the matter to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review procedure provided by UKRI. The Information Commissioner can be contacted at: www.ico.org.uk.

If you wish to raise a complaint regarding the service you have received or the conduct of any UKRI staff in relation to your request, please see UKRI's complaints policy: <https://www.ukri.org/about-us/policies-and-standards/complaints-policy/>

Yours sincerely,


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Information Rights Team
UK Research and Innovation
foi@ukri.org | dataprotection@ukri.org

¹ <https://www.legislation.gov.uk/uksi/2015/102/regulation/18/made>