



London Borough of Barnet,
2 Bristol Avenue,
Colindale,
London NW9 4EW
27 May 2020
Our ref: 6297288

Thank you for your request received on 15 May 2020, for the following information:

Further to a Freedom of Information I have sent to help me with my research project, I would like to also ask the following:

Could you please let me know if you offer any of your professional services (IT, Finance, HR, Legal, Planning, etc) on a commercial basis.

Could you please answer the following:

- 1.Which services are offered?**
- 2.Is it only to other local authorities or external or both?**
- 3.What basis is your charge, fixed fee, hourly rate, etc?**
- 4.Do you operate a separate trading account to monitor the financial trading position?**

We have processed this request under the Freedom of Information Act 2000.

Response

I can confirm that London Borough of Barnet holds the information you requested.

However, we consider that the following exemptions apply to some of the information requested. The remaining information is not withheld and is below.

Barnet Council has a contract with Capita to run its Customer and support services, HR, Finance, IT, Procurement, Revenues and Benefits, Customer Services and Estates. A copy of the contract can be found here:

<https://open.barnet.gov.uk/dataset/23d3v/customer-and-support-group-csg-contract>

They do not offer services on a commercial basis through the contract.

Services such as planning and building control that make up the joint venture named Regional Enterprise Ltd (Re) (formally known as the Development and Regulatory Services (DRS) project) is published here. We do not offer services on a commercial basis through the contract.

<https://open.barnet.gov.uk/dataset/e659v/regional-enterprise-ltd-re-contract>

For legal services, the Council has a contract with Harrow and Barnet Public Law (HBPL). We do not offer services on a commercial basis through the contract.

There is also a contract between London Borough of Barnet and Cambridge Education for the provision of Education & Skills services

<https://open.barnet.gov.uk/dataset/2496e/cambridge-education-contract>

They do offer commercial services through the contract.

1. Which services are offered?

Link to Traded Services Catalogue here:

<https://www.barnet.gov.uk/working-children-barnet/information-schools/traded-services>

- Training and consultancy for schools, including curriculum support, Leadership & Management, Governors, SEND and NQT.
- Education Welfare Officer service
- Careers Guidance Service
- Data Services
- Education Psychology services
- EVOLVE subscription
- NQT Induction
- Science and Safety Advice Service

2. Is it only to other local authorities or external or both?

The majority of services are available to schools to purchase both in Barnet and to schools in other boroughs/counties.

3. What basis is your charge, fixed fee, hourly rate, etc?

They are purchased on an annual basis for the entire year but some are also available as a pay as you go option

4. Do you operate a separate trading account to monitor the financial trading position?

See Refusal Notice below

Refusal Notice

Separate trading accounts may be used to monitor the financial trading positions of the different services, however this information is confidential.

S43 – Commercial interests

We consider that section 43 (Commercial Interests) applies which sets out an exemption from the right to know if:

(2) Disclosure would or would be likely to prejudice the commercial interests of any person (A person may be an individual, a company, the public authority itself or any other legal entity).

This exemption applies because the release of these details would/ are likely to prejudice the commercial interests of the Council and its contractors.

This is a qualified exemption under the Freedom of Information Act 2000 which means that consideration must also be given to whether in all the circumstances of the case the public interest favouring disclosure is greater than the public interest in maintaining the exemption.

The public interest means what is in the best interests of the public not what is of interest to the public.

Factors in favour of disclosure

- furthering the understanding, and participation in the public debate of issues
- facilitate the accountability and transparency of public authorities for decisions taken facilitate accountability and transparency in the spending of public money
- Allowing individuals to understand decisions made by public authorities affecting their lives and, in some cases, assist individuals in challenging those decisions

Factors in favour of maintaining the exemption:

- Adverse impact on Council and its contractors due to detail on traded services accounts;
- Council and contractors position in a competitive environment, market sensitivity of information and potential usefulness to competitors;
- Negative effect on competitiveness if competitors were to have access to information;
- Need to obtain value for money.

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information until the scheduled publication date. Therefore, the information is not provided to you.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response 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.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.