

From: [Grant Webster](#) on behalf of [Foi Enquiries](#)
To: [REDACTED]
Subject: FOI-17-0263 - BACS Payments
Date: 08 March 2017 15:38:20
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED],

Thank you for your information request of 6 January 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

I am writing to you under the Freedom of Information Act 2000 to request the following information from Finance (Accounts Receivable/Payable) and IT (Information Technology):

- **Who provides the organisations BACS payments and Direct Debit collection software?**
- **Please provide a list of your suppliers of the above software.**

Bottomline Technologies and BACS Payment Services Ltd

- **How you came to the decision to choose these companies?**

The procurement process at the time of the award would have been applied accordingly

- **Are these solution(s) hosted on premise or cloud hosted?**

Bottomline Technologies is hosted on the premise.

BACS Payment Services is a service provided to the banks.

We use C-Series (Bottomline Technologies) to send our payments to bacs, who in turn send the payments to the bank.

- **Please provide expenditure on computer software used for Bacs payment processing and Direct Debit collection. For financial years**

2014/2015 and

£12,408.29

2015/2016.

£5,120.78

- **When does your current contract(s) with BACS payment and direct debit collection software expire?**

20/11/17

- **Will this service(s) be tendered and if so where?**

ACC is unable to provide you with information on **Will this service(s) be tendered and if so where** as it is not held by ACC. In order to comply with its obligations under the terms of Section 17 of the FOISA, ACC hereby gives notice that this information is not held by it.

- **What is the total value of your current BACS payment and Direct Debit collection software contract(s) and over what period?**

ACC is unable to provide you with information on the **total value of your current BACS payment and Direct Debit collection software contract(s) and over what period** as it is exempt from

disclosure. In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing your request under the terms of Section 33(1)(b) – Commercial Interests - of the FOISA.

In making this decision ACC considered the following points:

Disclosure of this information is likely to weaken the Contractor's business position in a competitive environment by revealing sensitive information which competitors may find useful. It is important that ACC maintains good working relationships with reputable companies in order to obtain value for money and so releasing commercially sensitive information could potentially damage ACC's reputation with such third parties, dissuading the third parties from engaging with ACC.

The supplier considers the total value of your current BACS payment and Direct Debit collection software contract(s) and length of time to be commercially sensitive information. Clause 15 of Aberdeen City Council's contract with the supplier prohibits the Council to disclose information provided to them by the supplier without the supplier's written consent. Thus, disclosure of the information would constitute breach of contract.

All information released under the Freedom of Information Act is considered information released into the public domain regardless of the intended recipient. Releasing these details would harm the contractor as commercially sensitive details will be shared with another commercial company and/or a potential market competitor. In turn, this information could be used by other bidders to inform future work and contracts and potentially compromise the Council's ability to deliver best value.

ACC recognises that there is a public interest in being open and transparent about its spending of public money and that disclosure of the contract value may be in the public interest.

However, ACC is of the view that in this case, the public interest lies in withholding the information as disclosure would prejudice ACC's commercial relationships and future relations with the companies involved.

There is a strong public interest in allowing normal market forces to operate in a competitive environment and engage in a fair and transparent process. On this basis, ACC is of the view that in all the circumstances of the case, the public interest is best met by applying Section 33(1)(b) – Commercial Interests – of the FOISA.

• With whom does the organisation hold its primary bank account?

Clydesdale Bank PLC

• Does the organisation, acting as a Bureau, provide Bacs processing on behalf on any other organisation?

Yes.

• What payments types does the organisation use? (e.g Bacs (Direct Credit), Direct Debit, Faster Payments, etc.).

BACS Credit, Direct Debit, CHAPS & Faster Payments.

• **Who is the person responsible for BACS processing and Direct Debit collection software?**

O Name

Simon Haston

O Position

Head of Information Technology and Transformation

O Telephone Number

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O Email

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We hope this helps with your request.

Yours sincerely,

Grant Webster
Information Compliance Officer

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

ACC handled your request for information in accordance with the provisions of the Freedom of Information (Scotland) Act 2002. Please refer to the attached PDF for more information about your rights under FOISA.

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*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.
Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

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