

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: FOI-17-0696 - Agency Fees
Date: 16 May 2017 15:10:11
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED]

Thank you for your information request of 11 May 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

1. Whether the council has paid a private agency or agencies to provide at-home-care for the elderly and/or infirm within the last 12 month period for which information is available.

ACC has paid private agencies for homecare services delivered for the elderly/infirm.

2. Details of which agency/agencies were used during the last 12 month period for which information is available.

Supplier Name
1ST HOMECARE
7 DEEVIEW COURT - SUE RYDER
ABERDEENSHIRE HOMECARE
ABERNESS
ALLIED HOMECARE (PREV SAGA)
ALZHEIMER SCOTLAND - ABERDEEN OFFICE
ANN INSPIRED CARE LTD
BROOMHILL PARK
CAPABILITY SCOTLAND - HARROW ROAD
CASTLEHILL HA - KEY PROJECT
C-CHANGE SCOTLAND - ABERDEEN
CORNERSTONE - 73 STEVENSON COURT
CORNERSTONE - COMMUNITY SUPPORT SERVICES
CORNERSTONE NORTH ABERDEEN
CORNERSTONE SUNNYBANK
CROSSREACH SUPPORTED LIVING SERVICES GLA
CROSSROADS CARING SCOTLAND - ABERDEEN
EASYKLEEN
INSPIRE - 13 VIEWFIELD AVENUE
INSPIRE - GREENFERN PROJECT
LEONARD CHESHIRE - SCHOOL DRIVE
LIVING AMBITIONS - DUBFORD
LIVING AMBITIONS LTD - ABERDEEN SERVICES
MARGARET BLACKWOOD HA - EDAY GARDENS
MARGARET BLACKWOOD HA - RAEDEN COURT
MARGARET BLACKWOOD HA - SUPPORT SERVICES
MARGARET BLACKWOOD - RAEDEN COURT (RES)
MEARS CARE SCOTLAND
MY CARE (GRAMPIAN) LIMITED

NEWTON DEE VILLAGE (CAMPHILL)
NORTH EAST COMMUNITY CARE
PARAMOUNT CARE (ABERDEEN) LTD
PENUMBRA - ABERDEEN PAPERMILL GARDENS
PINPOINT HEALTH AND HOMECARE
RAEBURN GROUP LIMITED (NURSE)
RICHMOND FELLOWSHIP - TEAM 1 OUTREACH
SCOTHEMOCARE
SPECIALIST RESOURCE SOLUTIONS
ST AUBINS PROJECT - UNIT 2 (WESTERTON)
THE MANOR PROJECT LIMITED (OUTREACH)
TURNING POINT ABDN HOUSING SUPP SERVICE
TURNING POINT - STABLE
VSA - CLOVERFIELD GROVE

3. How much money was paid to each agency/agencies in fees during the last 12 month period for which information is available.

ACC is unable to provide you with information on **How much money was paid to each agency/agencies in fees during the last 12 month 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:

Do commercial interests exist in relation to the information?

Yes, primarily the commercial interests of the providers will be damaged. Contracts for services like this with the Council are confidential and as such the commercial interests of the Council may also be damaged as a result of disclosure. The providers have agreed a rate with ACC which may be different to other third parties across the United Kingdom and Europe and as such it may damage the provider’s ability to negotiate individual rates with other parties. By releasing the total amount paid to each provider, we will be providing a clear indication of the rates negotiated with that provider.

Please describe how disclosure of the requested information would cause the level of harm required for this exemption.

As this information was provided in confidence, relates to the business activity of suppliers and may contain favourable, negotiated rates with ACC, disclosure by the Council would not be appropriate. The providers that provided the information are commercial companies who negotiate with other parties including Local Authorities. Release of the information would cause significant harm and restrict their ability to negotiate individually with other customers. It is highly likely that this harm will occur as disclosure will make public financial arrangements. This would restrict the providers ability to negotiate individually in a free economic market. Disclosing information of this nature is likely to weaken the vendors position in a competitive environment by revealing market-sensitive information which is of potential usefulness to their competitors.

Where does the public interest lie in relation to the information?

ACC recognises that there is a general public interest in openness and transparency around the systems ACC has in place to manage its social care contracts and that the withheld information may help the public to scrutinise ACC's spending of public money and the awarding of contracts. ACC also recognises that third parties who deal with ACC should expect that some of their information would become available in the public domain.

However, ACC believes that the public interest in disclosing the above information is limited and that, in this case, there is a stronger public interest in withholding the information.

The third parties commercial interests would be impeded by the release of this information as would the commercial interests of Aberdeen City Council. The reason for this is that rates/prices are individually negotiated and the release of these details would prejudice future negotiations. If this information is freely available then there is no market for competitive pricing, thus vendors would introduce a fixed pricing structure which would be to the detriment of Aberdeen City Council and the public, in terms of ensuring best value. It is therefore not in the public interest to disclose this information.

We could provide you with the total amount of spending without identifying individual providers if you would be interested? Please contact us to let us know.

4. What proportion of the total cost to the customer these fees represented (if known)

No data can be provided as explained in the response to question 3.

We hope this helps with your request.

Yours sincerely,

Information Compliance Team

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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