



National Audit Office

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Reference FOI-1683

Date 26 January 2024

CELESTIX DIRECT ACCESS SOLUTION

Thank you for your request of 7 January 2024 for information about a contract for the supply, installation and support of Celestix Direct Access Solution. Your request has been handled in accordance with the Freedom of Information Act 2000 (FOIA).

We can confirm that we hold information in scope of your request. Your specific request is set out in **Annex A** together with our response to each part of the request. We have withheld certain information under section 40(2) (personal information) of the FOIA. Details of this exemption and how this applies to your request can be found in **Annex B**.

We hope you find this response helpful. **Annex C** sets out the steps you may wish to take if you are not satisfied with the way we have handled your request for information under FOIA.

Yours sincerely,

NAO FOI Team



Annex A

Request for information about Celestix Direct Access solution:

I would be most grateful if you would provide me, under the Freedom of Information Act, details in respect to the contract below.	
Direct Access resolution - Contracts Finder	
The details we require are:	NAO Response:
What are the contractual performance KPI's for this contract?	This was a call-off contract for consultancy services. It does not have any KPIs or SLAs.
Suppliers who applied for inclusion on each framework/contract and were successful & not successful at the PQQ & ITT stages	The contract was a Direct Award under the ICT Solution Health Trust Europe Framework.
Actual spend on this contract/framework (and any sub lots), from the start of the contract to the current date	£34,606 excluding VAT.
Start date & duration of framework/contract?	The contract started in January 2022 and was terminated in June 2023 due to the NAO ceasing to use the Direct Access technology.
Could you please provide a copy of the service/product specification given to all bidders for when this contract was last advertised?	This was a call-off contract for consultancy services put in place to assist with providing specialist skills to help with the migration away from Direct Access technology.
Is there an extension clause in the framework(s)/contract(s) and, if so, the duration of the extension?	Not applicable.
Has a decision been made yet on whether the framework(s)/contract(s) are being either extended or renewed?	The contract has been terminated and so there are no plans to extend.
Who is the senior officer (outside of procurement) responsible for this contract?	██████████ Director, Digital Direct contact details are exempt from disclosure under section 40(2) of the FOIA.

Annex B

Section 40, Freedom of Information Act 2000 – Personal information

Section 40, paragraphs 1-4, of the Freedom of Information Act 2000 (FOIA) provides that:

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if—

(a) it constitutes personal data which does not fall within subsection (1), and

(b) the first, second or third condition below is satisfied.

(3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—

(a) would contravene any of the data protection principles, or

(b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.

(3B) The second condition is that the disclosure of the information to a member of the public otherwise than under this Act would contravene Article 21 of the GDPR (general processing: right to object to processing).

(4A) The third condition is that—

(a) on a request under Article 15(1) of the GDPR (general processing: right of access by the data subject) for access to personal data, the information would be withheld in reliance on provision made by or under section 15, 16 or 26 of, or Schedule 2, 3 or 4 to, the Data Protection Act 2018, or

(b) on a request under section 45(1)(b) of that Act (law enforcement processing: right of access by the data subject), the information would be withheld in reliance on subsection (4) of that section.

Reasons why we have applied this exemption

We are not obliged, under Section 40(2) of the FOIA, to provide personal information of another person if releasing it would contravene any of the provisions of the Data Protection Act 2018.

We believe disclosure of the direct contact details of an individual NAO officer would contravene the first data protection principle, which requires the processing of personal data to be lawful, fair and transparent.

In this instance we do not believe it would be fair to the individual officer concerned to disclose their personal information. We have therefore withheld their individual contact details in the table in Annex A.

Annex C

Statement of Policy

Our policy is to respond to requests made under the Freedom of Information Act 2000 as helpfully and promptly as possible, having regard to the principles set out in the Act. I therefore hope you are happy with the way we have handled your request. If you are not, then you should take the following steps.

In the first instance, within 40 working days, write to the National Audit Office Freedom of Information (FOI) Team at FOI@nao.org.uk or by post to:

FOI Team, Green 2, National Audit Office, 157-197 Buckingham Palace Road, London, SW1W 9SP

The FOI & Correspondence Manager will arrange a review, which will be conducted by a senior member of staff who was not involved in decisions relating to your original request. Once the review has been completed, we will write informing you of the outcome.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The primary way of escalating your concerns to the Information Commissioner is at: <https://ico.org.uk/foicomplaints>

Alternatively, you can contact the ICO at <https://ico.org.uk/> or Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF.