

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 1 October 2024

Public Authority: UK Health Security Agency

Address: 10 South Colonnade
London
E14 4PU

Request:

The complainant requested the following information from the UK Health Security Agency (UKHSA) on 8 April 2024:

"The UKHSA recently provided the names of both the companies and referrers involved in the covid testing high priority lane.

We now know that 50 companies/organsiations recieved priority referrals and subsequently were awarded covid testing contracts valued at £6bn.

However in both the response to that request and in your submission to the NAO (see links below) it is stated that "From May 2020 to March 2021, 50 suppliers that went through high-priority entry routes were subsequently awarded contracts worth £6.0 billion, 76% of the £7.9 billion of testing contracts awarded over this period (Figure 2). Of the contracts awarded to these high-priority suppliers, £4.8 billion were awarded directly without competition. UKHSA's analysis of supplier entry routes does not cover all testing contracts because it excludes those awarded before 28 May 2020" and also those awarded after March 2021.

It is therefore likely that Post March 2021 other companies were designated as 'vips', 'high priority' or 'fast tracked' and subsequently referred onto the 'high-priority' route

My request

1 - Please can you confirm the number of covid testing companies that were referred onto the 'high-priority' route between 02 March 2021 – 01 October 2021.

2 - Please can you confirm the number of covid testing companies that were referred onto the 'high-priority' route between 15 January 2020 – 15 March 2020.

3 – In response to questions 1 and 2, Please can you provide the names of the suppliers, the names of the person who 'identified' the supplier and the name of the person acting as the 'referrer' (Note - This is the same format as previously published by UKHSA for VIP's post 28/05/20).

Links:

<https://www.gov.uk/government/publications/covid-19-testing-procurement>

<https://www.nao.org.uk/wp-content/uploads/2022/03/Investigation-into-the-governments-contracts-with-randox-laboratories-ltd.pdf>”

Commissioner’s Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

Right of Appeal:

Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**