

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 9 April 2025

**Public Authority:** Derbyshire County Council

**Address:** County Hall  
Matlock  
Derbyshire  
DE4 3AG

#### **1. Request:**

The complainant requested the following information from Derbyshire County Council on 15 November 2024:

"I note that monies associated with the provision of contract CCS007 (£415000 over 18 months wef November 2022) extending over 23/24 was utilised to pay for earlier services that just happened to be provided by Populate Consultancy Ltd (namely £153450) to support childrens services between April 2022 and October 2022 before this new contract (CCS007) in November commenced.

Please provide all contract documentation associated with the services provided by Populate between March 22 and October 2022 to help me understand what these services were for to fully understand why monies I was expecting to be spent during the period of 23/24 was used in part to for work in a previous year not associated with contract CCS007. This is especially given there is no reference within the CCS007 specification to undertake pre mobilising work prior to the contract commencing. Also provide copies of the related specification documentation as you have done for the Strategic Partner for Childrens services tender along with a copy of the relevant corresponding extract from the councils contract register."

## **2. 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.

## **3. 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.

#### **4. 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](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://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**