



Department of
Justice
An Roinn Dlí agus Cirt
Máinnystrie O tha Laa
www.justice-ni.gov.uk

Department of Justice
Records & Information Team
Information Services Division
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Ballymiscaw
Stormont
Belfast
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Email: foi@justice-ni.gov.uk

18th April 2024

REFERENCE: FOI\24\34

Dear Madam,

Thank you for your request for information dated 20th March 2024 and detailed below.

Request

Under Freedom of Information legislation please clarify the position for all agencies and authorities under departmental remit/funding in terms of retaining external companies to carry out work including consultants, research, law firms (excluding counsel), scoping and auditing?

Please clarify if such are required to go through tendering and procurement procedures and if there are any exceptions to this.

Also please provide a copy of any departmental or governance policy and/or approved position in this regard.

Response

The Freedom of Information Act 2000 gives you two rights of access when you write to us asking for information. You have the right to know whether we hold recorded information falling in scope of your request, and you have the right to receive this recorded information subject to cost limit or exemption.

The Department's response to the information requested is provided below. Please also note that the information supplied relates to the Department of Justice (DoJ) and its Agencies.

When seeking to appoint external consultants the Department adheres to the 'Guidance on the use of professional services' within [FD \(DoF\) 07/12](#). In respect of procuring these services the Department is further required to adhere to the Northern Ireland Public Procurement Policy and related Procurement Policy Notes with specific reference to [PPN 04/21 'Procurement Control Limits'](#). There are some exceptions to this procurement guidance and advice such as [DAO \(DoF\) 06/22 – 'Direct Award Contracts'](#) and [DAO \(DoF\) 05/22 – 'Grant or Procurement'](#) provide the frame upon which decisions within any department can be made on a case by case basis in compliance with this guidance.

As Non-Departmental Public Bodies (NDPBs) are arm's length to the Department they can act independently within the overarching governance and accountability arrangements e.g. compliance with Managing Public Money NI (MPMNI). Whilst NDPBs will often mirror and conform to DoJ policy they can have their own policies.

Agencies will be more closely aligned to the Department, however there is still scope for them to take an approach that best suits their individual requirements.

You also asked for a copy of Departmental or governance policy in this regard. In addition to the above mentioned guidance, public sector bodies act within the governance and accountability arrangements as set out within MPMNI. A copy of MPMNI is available on the Accountability and Financial Management section of the Department of Finance website [Managing Public Money NI \(MPMNI\) | Department of Finance \(finance-ni.gov.uk\)](#).

Freedom of Information Officer
Department of Finance
Room 26
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Dundonald House
Upper Newtownards Road
Belfast
BT4 3SB

Email: FOI@finance-ni.gov.uk

If you are unhappy with the result of your request for information you may request an internal review within two calendar months of the date of this letter. If you request an internal review please do so in writing stating the reasons to the address above.

If following an internal review you were to remain dissatisfied you may make a complaint to the Information Commissioner and ask the Commissioner to investigate whether the DOJ has complied with the terms of the FOIA. You can write to the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

The Commissioner will not investigate a complaint unless an internal review procedure has been carried out.

Further details on the role of the Information Commissioner and the handling of appeals can be found at: www.informationcommissioner.gov.uk

Yours sincerely

Records & Information Manager