



Freedom of Information Officer,
Criminal Justice Inspection Northern Ireland,
Block I, Knockview Buildings,
Stormont Estate
Belfast
BT4 3SJ.

22 April 2024

[REDACTED]
[REDACTED]

Our reference: 030424/053

RE: Request for Information under the Freedom of Information Act

Dear [REDACTED]

Thank you for your recent Freedom of Information request submitted to the Department of Justice (DoJ) Freedom of Information Team on 20 March 2024 which was been forwarded to Criminal Justice Inspection Northern Ireland (CJI) on 03 April 2024 for reply.

Our understanding of the information you have asked for is as follows:

- 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; and
- Please clarify if such are required to go through tendering and procurement procedures and if there are any exceptions to this; and
- Provide a copy of any department or governance policy and/or approved position in this regard.

The following information is being released in response to your request as CJI is a non-departmental public body funded by the DoJ.

We have interpreted your reference to 'retaining external companies' to mean any formal contract or agreement such as a Service Level Agreement or Memorandum of Understanding with another party that is outside of the Northern Ireland or United Kingdom public sector or Government which CJI has independently entered into.

If our interpretation of your terms is incorrect, please tell us.

Part A

CJI does not currently retain external companies to carry out work including consultants, research, law firms (excluding counsel) scoping or auditing services. If CJI's business needs required the appointment of an external company or party to provide either consultancy, research, legal, scoping or auditing services, CJI would be required to secure these services in line with current public sector governance, financial management and procurement practice.

A proportionate business case reflective of the value and complexity of the service required is completed. The business case outlines the legitimate business need and affordability of securing the service. Business cases are approved by CJI's Chief Executive and Accounting Officer if the expenditure was within CJI's delegated limit and authority and the parameters set in CJI's Partnership Agreement with the DoJ.

Where the anticipated level of spend or the nature of the expenditure is not within CJI's delegated authority, approval for the business case must be sought from the Department of Justice and Department of Finance if required before proceeding.

Following business case approval CJI follows public sector procurement practice which promotes the procurement of goods and services by open competition where possible. The form of the competition is appropriate to the value and complexity of the goods and services to be acquired and reflective of guidance provided by the Department of Finance Construction and Procurement Delivery (CPD) Division.

There may be circumstances when competition is precluded on a valid and supportable ground and a direct award contract may be considered.

Should this be the case, a business case must be prepared and approved by CJI's Chief Executive and Accounting Officer, with advice sought from CPD as required, when the projected level of spend is within the delegated authority of the CJI Accounting Officer and by the DoJ when this level is exceeded.

Where a direct award contract for external consultancy is involved, regardless of value approval from the DoJ Permanent Secretary is required before proceeding.

Part B

If CJI's business needs require the appointment of an external company or party to provide either consultancy, research, legal, scoping or auditing services, CJI would be required to secure these services in line with current public sector governance, financial management and procurement practice.

Where the anticipated cost of securing either the services or good required is expected to exceed £5,000 including Value Added Tax (VAT) an open competition is required. A minimum of two tenders must be invited by the person authorised to procure on behalf of CJI. CJI currently uses the public sector ETendersNI portal to undertake procurement exercises. Tenders are assessed against the contract requirements and the basis of award must be either the best combination of price and quality (BPQ) or lowest acceptable price.

Where the anticipated cost of meeting the needs of the organisation are expected to be no more than £5,000 inclusive of Value Added Tax (VAT), CJI may after securing business case approval seek to secure the external service by demonstrating value for money has been secured. Value for money can be demonstrated by obtaining a minimum of two quotations from two different suppliers or service providers who have demonstrated their ability to meet the business requirements.

Should a DoJ collaborative contract or Northern Ireland Civil Service framework agreement be already in place for the provision of the service(s) required by CJI, quotes can be obtained from these suppliers providing CJI was included among the organisations named as being potential users of the contract when it was tendered and awarded.

Part C

In respect of your request for a copy of departmental or governance policy, please refer to the FoI response provided separately by the DoJ FOI\24\34 issued on 18 April 2024 which provides links to relevant guidance, policies and Managing Public Money NI which CJI complies with. A copy of the current CJI-DoJ Partnership Agreement can be found via the link to the CJI website [CJINI - Criminal Justice Inspection Northern Ireland - Partnership Agreement](#).

I hope this information satisfies your request. Should this response not satisfy your request for information, please contact in the first instance CJI's Freedom of Information Officer.

Their address is Freedom of Information Officer, Criminal Justice Inspection Northern Ireland, Block I, Knockview Buildings, Belfast, BT4 3SJ or email info@cjini.org.

[REDACTED],

[REDACTED]

James Corrigan
Chief Executive
Criminal Justice Inspection Northern Ireland