

REFERENCE

2526104

RELEASE DATE

July 2025

SUBJECT

provide a complete and current extract of your organisation's contract register, total number of active contracts and procurement strategy for 2025/2026 including contact information for head of departments.

RESPONSE

NI Water replies to each of your queries in turn as follows.

1. Contract Register

*Please provide a **complete and current extract** of your organisation's **contract register** or equivalent database. We are not asking you to compile new information or manually populate missing fields – we simply request the register in its **existing form**, preferably in **Excel or CSV format**.*

Where available, we are particularly interested in the following fields (though this is not a strict requirement):

- *Contract Title*
- *Supplier Name*
- *Estimated Spend (Total or Annual)*
- *Contract Duration and Total Period (including extensions)*
- *Contract Start and Expiry Dates*
- *Review Date*
- *Contract Description*
- *Contract Owner (Name, Job Title, Contact Details if available)*
- *Contract Notes*
- *Managing Department*
- *Award Date*
- *Participating Organisations*
- *Procurement Category*
- *Framework or Tender References*
- *Central Purchasing Body*
- *Classification Codes (CPV, Pro-Class, etc.)*

Please don't spend time populating these fields if they aren't readily available – we welcome receiving the raw register as it exists in your system.

- Annex A represents the information requested (where available) for Framework level Capital Procurement Contracts.
- Annex B details the relevant information as it pertains to Goods and Services (Operational) procurement.

In relation to your request for “CPV Codes”, NI Water does not use CPV codes internally; therefore, the data is not necessarily held in our systems. It is provided where held. These are captured on **eTendersNI** and are not necessarily available for NI Water to extract as a report. Where this information is not provided, Regulation 12(4)(a) of the EIR applies to this element. (The FOIA requires merely that the applicant be told that the information is not held.)

- Regulation 12(4)(a) (Information not held) provides that *“a public authority may refuse to disclose information to the extent that it does not hold that information when an applicant’s request is received”*.

All exceptions under the EIR are qualified and so, in deciding whether to disclose the requested information, NI Water must consider the public interest. However, this is not possible where the information is not held.

- Regulation 6(1)(b) of the EIR states that *“Where an applicant requests that the information be made available in a particular form or format, a public authority shall make it so available, unless the information is already publicly available and easily accessible in another form or format.”* Section 21 of the FOIA refers (information accessible to applicant by other means).

Each contract notice is held in a publicly accessible database and the relevant CPV code is also stated. These can be found online at **<https://www.find-tender.service.gov.uk/Search>**.

- The contact details of junior members of staff (below Band 3 in NI Water terms), including the member of staff who is responsible for the Contracts Register, are also deemed to be exempt and have been withheld under Regulation 13 of the EIR (personal data). Regulation 13 provides that: *“To the extent that the information requested includes personal data of which the applicant is not the data subject, a public authority shall not disclose the personal data”*. Section 40(2) of the FOIA (third-party personal data) also applies.
- Where a contract is in an active tender process, commercially sensitive information (total contract value) has been withheld in order not to prejudice the tender exercise. It is withheld under Regulation 12(5)(e) of the EIR (confidentiality of commercial information). Section 43 of the FOIA (commercial interests) also refers.

The public interest in disclosure is that it would demonstrate NI Water’s openness in relation to public expenditure. NI Water is disclosing the less sensitive information under this request, which serves the public interest in showing NI Water’s transparency about the spending of public funds.

Against this, NI Water is conscious that the timing of the request is important and that active tender processes can be prejudiced by inappropriate disclosure of contract information at a sensitive time.

Disclosure under the EIR and the FOIA is considered equal to disclosure to the public at large, and therefore to other companies engaged in the same business. To expose the latest information about that contract would prejudice commercial interests in active tenders.

It is felt that to do so would allow other companies to take advantage of this information being made public to improve their own processes, meaning the existing supplier cannot rely upon what sets them apart in current and future tender exercises.

It is important that tender exercises are kept as competitive as possible to ensure maximum opportunity to achieve value for public money and NI Water is loath to interfere with that process, not least because it could limit NI Water's own options in such tender competitions.

As such, to ensure the continued fairness of those processes and to protect the commercial interests of NI Water and its contractors, NI Water believes the public interest is weighted towards withholding information relating to active tender processes.

2. Total Number of Active Contracts

Please confirm the total number of contracts currently listed as active.

- Capital Procurement – 5
- Goods & Services - 219

3. Procurement Strategy (2025/2026)

Please provide your organisation's Procurement Strategy for 2025/2026.

- *If this is part of a multi-year strategy (e.g., 2024–2028), please provide the most recent version covering 2025/2026 or indicate when this will be available.*
- *If any parts are redacted, please identify the redacted sections and the reason.*

NI Water can confirm this is currently being updated and is in draft version. It is to be approved by the Centre of Procurement Excellence management team and should be available by the end of August 2025. As such, at this time, it is lawfully exempt from disclosure under Regulation 12(4)(d) of the EIR (material in the course of completion), and Section 22 of the FOIA (intended for future publication).

This exception provides that “a public authority may refuse to disclose information to the extent that the request relates to material, which is still in the course of completion, to unfinished documents or to incomplete data”.

The public interest in release is that it demonstrates NI Water's willingness to comply with the disclosure provisions of the EIR and assists the public in understanding current affairs, such as the discussion of public procurement exercises.

However, against this and under Part 2, Regulation 5(4) of the EIR *“For the purposes of paragraph (1), where the information made available is compiled by or on behalf of the public authority it shall be up to date, accurate and comparable, so far as the public authority reasonably believes.”*

As disclosure to one is considered disclosure to all under the EIR and FOIA, NI Water believes that it should only make public the finalised version of its Strategies to avoid confusion and misinformation.

4. Contact Information

If possible, please provide the name, job title, phone number, and email address for the following roles:

- *Responsible officer for API access or data sharing (if applicable)* - Withheld under third-party personal data exemptions
- *Individual managing the contract register* - Withheld under third-party personal data exemptions
- *Finance Director* – **Ronan Larkin**
- *Head/Director of Procurement or Purchasing* **Eilis Kelly (Goods & Services), Roisin Connor (Capital Procurement)**
- *Head/Director of ICT* – **Peter Semple**
- *Head of Estates and Facilities* – **Paul Dillon**
- *Relevant Committee Member, Councillor, or Board Member for Procurement/Finance* – **Board and Executive Committee details are provided at the links below.**

If direct contact details are restricted due to GDPR, please indicate the best department or method of contact.

In order to ensure that all correspondence received by the Company is appropriately logged and monitored, please direct ALL queries to [**waterline@niwater.com**](mailto:waterline@niwater.com), from where it will be forwarded to the appropriate personnel. Where staff are at Band 3 or above (Senior Management), their names have been provided above.

[**https://www.niwater.com/about-us/about/our-board**](https://www.niwater.com/about-us/about/our-board)

[**https://www.niwater.com/about-us/about/our-executive-committee**](https://www.niwater.com/about-us/about/our-executive-committee)

5. Additional Notes

- *If your contract register is available via an online portal, please ensure all records are accessible (as some portals may only show summary data).*
- *If your organisation uses a contract management system or CRM, please confirm whether it allows for data exports.*
- *If you intend to withhold spend figures, please note that we are requesting an **overall total or indicative spend** only – not a line-by-line financial breakdown.*

Our Commercial Contract Management System does not allow for data exports. NI Water does list contracts awarded on its Procurement webpages at the link below.

[**https://www.niwater.com/about-us/procurement**](https://www.niwater.com/about-us/procurement)