

FREEDOM OF INFORMATION ACT 2000

Your request for information has now been considered and the Council's response to your questions is shown below.

You asked:

For a copy of VAL's Tender application to run Healthwatch.

You can request any recorded information under the Freedom of Information Act. However the Act is applicant blind so we must consider whether the information is suitable for release not only to you, but also the general public.

Section 17 of the Freedom of Information Act 2000 requires Local Authorities when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which specifies the exemption in question and states (if not otherwise apparent) why the exemption applies.

The exemption/s, as well as the factors the Department considered when deciding where the public interest lies, is listed below:

The exemptions are as follows:

Section 41 Information provided in confidence

Section 43 Commercial Interests

Section 41 (a)(b) Information Provided in Confidence

When the originator imparted this information they did so on the understanding that it would be used for the purpose for which it was supplied. Disclosing this information would constitute a breach of confidence.

S43 Commercial Interests

Under s43(2), information is exempt if its disclosure would, or would be likely to, prejudice commercial interests of any person (including the public authority holding it). S43 is a qualified exemption and we are obliged to apply the public interest test. We have come to the decision that it is not in the public interest to release the information at this time.

The legislation allows you to use the information supplied for your own personal use. Please be aware that any commercial or other use, for example publication, sale, or redistribution may be a breach of copyright under the Copyright, Designs and Patents Act 1988 as amended unless you obtain the copyright holder's prior permission.

Not all the information that is supplied which is covered by copyright will be the Council's copyright, for example it may be the copyright of a government department or another Council. You should seek either the Council's consent or their consent as appropriate. The Council is willing to advise you of any such

potential issues on request. In order to make a request to re-use the information please contact the Information Governance Manager using the details below.

If you are dissatisfied with the handling of your request please write to:

Information Governance Manager
Information and Support
Leicester City Council
FREEPOST (LE985/33)
New Walk Centre
LEICESTER LE1 6ZG
e-mail: info-requests@leicester.gov.uk

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF
Telephone: 01625 545 700
www.informationcommissioner.gov.uk

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to the Information Governance Manager before contacting the Commissioner.