

FREEDOM OF INFORMATION ACT 2000 – Adecco tender documents

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

You asked for the Adecco tender response.

The majority of this information is exempt from release under:

S41(1) - Information given in confidence and;
S43(2) - Commercial Interests

The Information Commissioner's Office states in its awareness guidance that under s43, types of information that may affect Commercial Interests includes information provided during a tendering process. Releasing Adecco's unique operating model, pricing structures and confidential work policies which form their business approach could disadvantage them in the market place.

The commercially sensitive information was given to Leicester City Council in confidence and the Council cannot be put in the position of a potential case for breach of confidence. This would not be in the interest of the taxpayer.

The exemption in section 43(2) is qualified which means it's subject to the public interest balancing test.

The public interest factors in favour of disclosure are:

- There is a clear public interest in knowing that The Council is obtaining value for money when purchasing these services.
- The Council should be seen to be open, transparent and accountable for the money that we spend.

The public interest factors in favour of withholding the information are:

- If we were to put this information into the public domain it would, or would be likely to, prejudice the commercial interests of the department and our suppliers for the following reasons:
- Our supplier's competitors would be able to use the information to their advantage to outbid them for work and thus undermine their commercial interests.
- There would be prejudice to the Council's relationships with suppliers and future commercial interests if sensitive contractual information was disclosed;

We have released the parts of the tender that are not commercially sensitive. Please see attached.

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 Head of Information Governance using the details below.

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

Head of Information Governance
Information and Support
Leicester City Council
FREEPOST (LE985/33)
New Walk Centre
LEICESTER LE1 6ZG
e-mail: FOIA@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 Head of Information Governance before contacting the Commissioner.

Yours sincerely

Lynn Wyeth
Head of Information Governance