

If they won the contract as a result of a tender, can you send me a copy of their successful bid?

Harm

Disclosure of the tender bid from TTC2000 LTD is commercially sensitive, as divulging the pricing model of the supplier is likely to cause financial loss to that organisation. Revealing this information may give competitors an advantage in future tendering processes which would be unfair to the provider of the course. This would undermine the integrity and effectiveness of the tendering process as it may dissuade organisations from submitting tenders or encourage those who do to compete on price rather than quality. This would reduce the quality of courses available to the public and for West Midlands Police.

Factors Favouring Disclosure

There is a clear public interest in ensuring that public authorities are retrieving a fair price from the supplier of these services. Police finances are coming under increased scrutiny as budgets are reduced. It is important that WMP are held accountable for any financial decisions that are made.

Disclosing information about budgets and contracts would provide a greater transparency in the financial affairs of West Midlands Police. It is clear that there is a public interest in public authorities operating in as transparent a manner as possible, as this should ensure they operate effectively and efficiently.

Factors Favouring Non-Disclosure

Disclosure would be likely to prejudice the commercial interests of the company involved and affect future procurement for the Force as the information has been provided to us in confidence and is of a commercially sensitive nature. Disclosure is also likely to damage the relationship between West Midlands Police (WMP) and the supplier involved. This may in the future reduce the number of companies tendering therefore reducing the opportunities to purchase the best services from suppliers.

Releasing the local levy would be a competitive advantage for other companies. We do not want to encourage companies to compete solely on price to the detriment of the quality of the course offered. Upholding the quality of the course is not only beneficial to the West Midlands Police, and those taking the course, but to the wider public.

Disclosure of the local levy may cause a breach of the confidence surrounding the current contracts. Although not sufficient at present for the confidential information exemptions to be engaged, there is still risk that disclosure could leave an authority at risk of civil proceedings.

Balancing Test

For a public interest test, issues that favour release need to be measured against issues that favour non-disclosure. The public interest is not what interests the public, or a particular individual, but what will be the greater good, if released, to the community as a whole.

The issues supporting disclosure have been considered however, on balance, it is considered that the public interest lies in not disclosing the information. This is due to the harm it would cause TTC2000 Ltd in any future tendering processes.

WMP want to maintain the quality of the course offered, rather than encourage a situation where companies are competing on price. The high quality of these courses is obviously in the interest of the wider public.

Although WMP will not disclose the local levy, annual figures with total amounts have been disclosed. This should provide the public with the reassurance needed to see that WMP is receiving a fair price from the course provider.