

**Public Interest Test – 231A/21**Applicable exemption:

Section 43 – Commercial interests

Harm

Disclosure of the ranking and scores is commercially sensitive, as divulging this (along with competitor scores) is likely to prejudice their ability to gain contracts elsewhere. This may also affect future procurement for the Force as disclosure would undermine the integrity of the tendering process, thus dissuading organisations from submitting tenders. This would reduce the quality and quantity of contracts available to the public and for West Midlands Police (WMP).

Factors Favouring Disclosure

Police finances are under continued scrutiny, therefore it is important that WMP is held accountable for any financial and contractual decisions that are made. Disclosing information about contracts and the tendering process would provide a greater transparency in the financial affairs of West Midlands Police.

Factors Favouring Non-Disclosure

If their rank and scores against competitors were revealed, this could compromise and prejudice their ability to gain similar contracts elsewhere. Furthermore, companies may be less likely to apply for contracts with WMP if they felt that information about their tender submission ranking would later be revealed under FOI. Therefore, disclosure is also likely to damage the relationship between WMP and the suppliers involved. This may in the future reduce the number of companies tendering, which in turn would reduce the opportunities to purchase the best services from suppliers.

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 these companies in any future tendering processes.

WMP wants to maintain the quality of the contracts awarded, which is in the interest of the wider public. Although WMP will not disclose the scores, the remaining tender process details have been disclosed. This should provide the public with the reassurance needed to see that WMP is receiving a fair price from the contract provider.