

Annex G

PUBLIC INTEREST TEST			
Request Ref:	DoF/2026-0046		
Request summary:	Would you be able to provide any details regarding the basis on which Fujitsu Services Ltd, was awarded 5 out of 5 on the social value measure? This could include any of the following (point a and b – see information details below)		
Information details:	Exemption applied	Disclosure	Non-disclosure
		(Please complete both columns to show all factors have been considered)	
<p>a) <i>The submission provided by Fujitsu Services Ltd as part of the procurement process in response to the question on how the company would meet the social value criterion</i></p> <p>[Documents PIT completed for:</p> <p>Fujitsu submitted tender response documents:</p> <ul style="list-style-type: none"> AC13: Social Value <p>*A39 Social Value Delivery Plan (Fujitsu)]</p>	<p>Section 43(2) (Commercial Interests)</p>	<ul style="list-style-type: none"> To show compliance with the FOI Act by disclosing information held by the Department as a Public Authority; There is a general public interest in the accountability, openness and transparency of government, and to promote public understanding More visibility of evaluation principles, where possible, helps demonstrate public sector procurement decisions are evidence based and capable of external scrutiny 	<ul style="list-style-type: none"> Protection of commercially sensitive /confidential tender response information: The supplier's Social Value submission contains detailed methodologies, delivery models, workforce and supply-chain plans, and competitive strategies that are not publicly available. Disclosure would provide competitors with insight into Fujitsu's approach, which could be used to their commercial advantage in future procurement exercises. The supplier included a footnote on their social value tender response to show it is confidential. Also the T&Cs Sch 4.2 commercially sensitive information response from the supplier included a lot of items that are commercially sensitive such as (13) All content contained within correspondence from the supplier to the authority in correction with this agreement If the Authority routinely discloses tender submissions, bidders may be deterred from providing full, detailed information in future competitions, or may limit the level of detail provided. This would undermine the ability of the Authority to secure best value for money. The Authority relies on healthy competition between bidders. If releasing detailed submissions reduces bidders' confidence in the confidentiality of the procurement process, this could weaken participation and reduce competitive tension, adversely affecting future procurements. Suppliers participate on the basis that their commercially sensitive material will be protected. Releasing it risks damaging the Authority's reputation as a responsible contracting body.

<p>b) <i>The KPIs agreed with Fujitsu Services Ltd upon award of the project</i></p> <p>[Documents PIT completed for:</p> <p>Fujitsu submitted tender response document *LR DPC - Sch 2.2 - Performance Levels – Updated]</p>	<p>Section 43(2) (Commercial Interests)</p>	<ul style="list-style-type: none"> • To show compliance with the FOI Act by disclosing information held by the Department as a Public Authority; • There is a general public interest in the accountability, openness and transparency of government, and to promote public understanding • More visibility of evaluation principles, where possible, helps demonstrate public sector procurement decisions are evidence based and capable of external scrutiny 	<ul style="list-style-type: none"> • Protection of commercially sensitive /confidential information: The updated Sch 2.2 Performance Levels provided by the supplier in response to the tender is Commercially Sensitive. The T&Cs Sch 4.2 (Commercially Sensitive Information) response from the supplier included a specific reference to the sch 2.2 paragraph 8.1 and the documents referred to in paragraph 8.1, along with the Supplier's performance against the Performance Indicators, including the amounts, rate, scale, calculation of service credits and amounts accrued in connection with the application of service credits. As well as schedule 2.2, Annex 2." Sch 4.2 identifies the Supplier's Confidential Information that is genuinely commercially sensitive and the disclosure of which would be the subject of an exemption under the FOIA and the EIRs. • If the Authority routinely discloses tender submissions, bidders may be deterred from providing full, detailed information in future competitions, or may limit the level of detail provided. This would undermine the ability of the Authority to secure best value for money. • The Authority relies on healthy competition between bidders. If releasing detailed submissions reduces bidders' confidence in the confidentiality of the procurement process, this could weaken participation and reduce competitive tension, adversely affecting future procurements. • Suppliers participate on the basis that their commercially sensitive material will be protected. Releasing it risks damaging the Authority's reputation as a responsible contracting body.
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PUBLIC INTEREST DECISION: After weighing up the competing public interest considerations, we consider it is reasonable in all the circumstances that the information held should be withheld from disclosure under **43(2)** and that the public interest in maintaining the exemption outweighs the public interest in disclosure.

Signed: *Donna Williams*

Date: 09/02/2026