Annex C

Public Interest Test
REASONS FOR APPLYING SECTION 43 (2) EXEMPTION

Ref No.	FOI DoF/2026-0089		
Information	**Exemption Applied**	**Reasons for Disclosure**	**Reasons for Non-Disclosure**
6. An approximate cost of the competition would be good too	Section 43(2) – Prejudice to commercial interests	To show compliance with the FOI Act by disclosing information held by the Department as a Public Authority; It would facilitate accountability and transparency in the spending of public money. In this respect disclosure of the information requested would allow scrutiny and in doing so inform the public debate as to whether public funds are being put to the best possible use.	Although there is a public interest in the efficient use of public resources, disclosure of information relating to competition costings would be likely to affect adversely the tenderer. There is a public interest in ensuring that private sector companies can compete on an equitable basis for public sector contracts and disclosure of commercially sensitive information would compromise the ability of companies to do so. The disclosure of this information would undermine the tenderer's ability to successfully compete for future public sector tender competitions. There is a risk that the tenderer would be discouraged from competing for future competitions if information identified as being commercially sensitive is released, thereby reducing the competitive market.
In balancing where the public interest lies, the Department contends that public interest considerations against disclosure are predominant, and the public interest is better served by non-disclosure of any information regarding tenderer's costings for recruitment competitions. **Signed: Sarah Rowlands Date: 25/02/26**			