Annex D

PUBLIC INTEREST TEST			
Request Ref:	DoF/2026-0650		
Request summary:	request to provide a copy of the hourly pay rate for each grade as stated in the pricing schedule, the tender or G4S reports		
The contract for ID 5054046, the NICS Provision of Security and Ancillary Services 2024 - **request to provide a copy of the hourly pay rate for each grade as stated in the pricing schedule, the tender or G4S reports**	Section 43 (2) Information is exempt information if its disclosure under this Act would, or would be likely to prejudice the commercial interests of any person (including the public authority holding it).	• 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 • The right of the public to know that public money is being spent wisely; • the public interest in disclosing information about public sector tender competitions to ensure that authorities' procurement processes are conducted in an open and fair manner.	• 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 could compromise the ability of companies to do so. • The disclosure of this information could undermine the tenderer's ability to successfully compete for future public sector tender competitions. • There is a risk that the tenderer could be discouraged from competing for future competitions if information identified as being commercially sensitive is released, thereby reducing the competitive market. • Any release of the tender pricing would prejudice the market/competition and unfairly advantage other companies. There is currently a live tender opportunity advertised and any disclosure of commercial approach will discriminate against G4S and distort competition. • Further where a release would reveal the commercial advantages that parties may have developed over many years at significant cost, I am satisfied that such a disclosure would be likely to cause significant damage to its commercial interests. • Releasing the successful tender information requested would be detrimental to them competing successfully for such services in the future in both the public and private sectors and, by disclosing commercially sensitive material in this way, could diminish confidence in the integrity of the public tendering process and thus disincline companies from competing in such contests.
PUBLIC INTEREST DECISION: After weighing up the competing public interest considerations, we consider it is reasonable in all the circumstances that the information held relating to the winning Suppliers tender responses and pricing information should be withheld from disclosure under Section 43 of the Freedom of Information Act and that the public interest in maintaining the exemption outweighs the public interest in disclosure. In addition a competition is currently ongoing which involves security services and the use of similar grades etc and release of this commercial information would disadvantage G4S.			