

Public Interest Test

Request for FOI-12-649 Information	
FOIA Exemption S.43 (1) (2) – Commercial Interests	
<i>Factors supporting disclosure</i>	<i>Factors supporting non-disclosure</i>
<ul style="list-style-type: none"> • There is a clear public interest test in the work of government being closely examined to encourage the discharging of public functions in the most efficient and effective way; • There is an important public interest in the work of public bodies being transparent and open to scrutiny to increase diligence and to protect the public purse; • There is a public interest test in disclosing information about transparency in the spending of public money and that public bodies are getting value for money when entering into contracts. • 	<ul style="list-style-type: none"> • The pricing aspects outlined in the ‘rents payable’ and ‘rental figures’ and ‘premises ownership details’ may be construed as a “trade secret. • To reveal the details of the cost would likely prejudice the commercial interests of any person (including the public authority holding it). • The contractor adopts a unique approach to the build-up of its rates prices and percentages which gives it a competitive advantage. This would undoubtedly prejudice its competitive position in future tender competitions. The public disclosure of this and other information would make available to competitors commercially sensitive information and, as a result, would undermine and prejudice the financial status by undermining its ability for future negotiations for rent reviews for GP premises fairly and competitively. This would result in increased costs to the NHS and therefore would not be in the public interest.
<p>Conclusion: there are compelling arguments which support withholding the information which outweigh those supporting release.</p> <p>PIT Members: Sarah Jeffery, Portfolio Director – Primary Care Sarah Turner, Senior Primary Care Delivery Manager Eleanor Wood, Primary Care Estates Programme Lead Andrea Brown, Governance Officer</p> <p>Date of Public Interest Test: 30th December 2023.</p>	



**Staffordshire and
Stoke-on-Trent**
Integrated Care Board