



[REDACTED]

22 April 2020

[REDACTED]

**Freedom of Information request: FOI2020/00068**

Thank you for your Freedom of Information request received on the 24 February in which you requested the following:

**Your request:**

I am writing to request additional information in regard to UK Shared Business Services Ltd's procurement procedure on behalf of UK Research and Innovation (UKRI) for Portfolio Management System. I note that this procurement is also referred to as DDaT19265.

In light of the above, I would be grateful if you are able to provide the following documentation:

1. ITT documents
2. The Technical Specification
3. Documentation for all incoming bids
4. Any assessment documentation for these bids and if relevant
5. The contract award

**Our response**

I can confirm UK Research and Innovation (UKRI) hold the information relevant to your request. Please see the information below and attached.

1. ITT documents
2. The Technical Specification

Under Section 21 - Information already reasonably accessible, of the FOIA the information you have requested is already available in the public domain and can be found at the link below:

<https://www.contractsfinder.service.gov.uk/Notice/4a51b22b-1262-45f3-81eb-b3c7ae67d1f5?origin=SearchResults&p=1>

Section 21 is an absolute exemption which means that there is no requirement to conduct a public interest test.

3. Documentation for all incoming bids
4. Any assessment documentation for these bids and if relevant

We have determined that the information you have requested falls under Section 41 of the FOIA, information provided in confidence. To explain further, if the information was released, we believe it would result in an actionable breach of confidentiality. As this exemption is absolute there is no requirement to conduct a public interest test.

We also believe that the information you have requested in Q3 and Q4 falls under the scope of Section 43(2) of the FOIA. This exemption is used where disclosure would likely result in a person's (an individual, a company the public authority itself or any other legal entities) commercial interests being prejudiced.

This is a qualified exemption, meaning that a test was carried out to determine whether the public interest outweighs the requirement for commercial confidentiality.

#### **Public interest in favour of disclosure**

- There is a general public interest in the disclosure of this information to ensure transparency and openness of a public organisation.
- There is also a public interest in transparency in order to ensure the accountability of public organisations and how they spend public funding.

#### **Public interest in favour of withholding the information**

- The information requested contains commercially sensitive information which are disclosed to UKRI in confidence. The agreement we have with participants in our procurement tenders is that we will not release any confidential information without their permission. Releasing the information requested could be taken advantage of by competitors in planning competing strategies for further business opportunities.
- Releasing information provided in confidence to UKRI is likely to damage the possibility of ongoing relationships with other organisations. Relationships may become untenable if third parties cannot be certain that their commercial information will remain confidential when held by UKRI.
- Breaching the commercial interest may also adversely affect future negotiation opportunities for UKRI. UKRI may be seen as a 'confidentiality' risk if it routinely releases information relating to business arrangements into the public domain, particularly where this is third party information
- We also considered the impact on UKRI if commercially sensitive information of companies we and engage and work closely with were disclosed. We believe it would damage the trust in UKRI and likely impact our ability to carry out our role and manage our current and future investments.

Taking the above arguments into consideration, we reached the decision that the need for commercial confidentiality outweighs the public interest in disclosure; therefore the information is exempt from disclosure.

#### **5. The contract award**

This opportunity was abandoned as no suitable submissions were received. A notice to this effect is on Contracts Finder on the link provided above to Q1 and Q2.

If you have any queries regarding our response or you are unhappy with the outcome of your request and wish to seek an internal review of the decision, please contact:

Head of Information Governance


Email: [foi@ukri.org](mailto:foi@ukri.org) or [infogovernance@ukri.org](mailto:infogovernance@ukri.org)

Please quote the reference number above in any future communications.

If you are still not content with the outcome of the internal review, you may apply to refer the matter to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review procedure provided by UKRI. The Information Commissioner can be contacted at: <http://www.ico.gov.uk/>

If you wish to raise a complaint regarding the service you have received or the conduct of any UKRI staff in relation to your request, please see UKRI's complaints policy: <https://www.ukri.org/about-us/policies-and-standards/complaints-policy/>

Yours sincerely,

  
Information Governance  
Information Rights Team  
UK Research and Innovation  
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