



Freedom of Information request & West Norfolk CCG response

WN-2015-00105 – Provider payments

Questions 1 – 12

Please see the attached documents.

Question 13 – In 2014/15 what did you pay for the following activities? (if you paid providers differently, please provide details for each provider on a separate sheet)

The CCG confirms that it holds this information but withheld it following application of the relevant test under section 43(2) of the FOIA:

“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)”

The Information Commissioner’s relevant guidance states that:

“...a commercial interest relates to a person’s ability to participate competitively in a commercial activity, i.e. the purchase and sale of goods or services”

It is considered that the commercial interests of the providers would be likely to be prejudiced if we disclose the information requested, as it would alert their competitors to their pricing strategies.

As this is a qualified exemption we must consider whether the public interest in withholding the information outweighs the public interest in disclosing it.

The main factor in favour of withholding the information is set out in the exemption ie there is a strong public interest in ensuring that the commercial interests of the companies providing

the services are not prejudiced. If such prejudice occurs it would enable competitors to undercut the organisations when bidding for contracts of a similar nature.

Factors in favour of disclosure of the information are as follows:

- 1. Furthering the understanding of and participation in the public debate of issues of the day.*
- 2. Promoting accountability and transparency by public authorities for decisions taken by them and in the spending of public money.*
- 3. Allowing individuals and companies to understand decisions made by public authorities affecting their lives.*

The CCG considers that the public interest in withholding the information outweighs the public interest in disclosing it.