

PART 2 – CONFIDENTIAL FACTS AND ADVICE

GLRO Decision Number **GLRO 21-01**

GLRO Decision Title **Electronic vote-counting system 'E-Count' : Preparation and delivery for May 2021**

Information may have to be disclosed in the event of a request under the Freedom of Information Act 2000. In the event of a request for confidential facts and advice, please consult the Information Governance team for advice.

The information below is not for publication until the stated date:

Due to the commercial confidentiality of the information in CCN-010 and CCN-011.

The information provided in this Part 2 form, and in the attached supporting document, contain commercially sensitive information which should not be published at this time as it is considered to be exempt information under Section 43(2) of the FOI Act 2000 (commercial interests).

Disclosure of information contained within in supporting paperwork (the CCNs) would be likely to prejudice the commercial interests of CGI and its supply chain if disclosed as it would put into the public domain information that would compromise the GLA's bargaining power, therefore impacting upon the optimal management of public funds. It is not in the public interest as it risks: (a) distorting genuine competition for the services and supplies concerned thereby impacting upon public sector bodies' (as they run election related events) ability to secure value for money; and signalling to the wider market a willingness, on the GLA's part, to accept cost and price increases driven by forces beyond its reasonable control which might influence the GLA's negotiating position with suppliers.

The CCNs (CCN011 in particular), contain more information than just the commercially sensitive cost and pricing details and in the event of the GLA receiving an FOI request, partial disclosure of the CCN's should be considered. GLA officers will need to liaise with the Information Governance team, working through the assumptions and risks noted in the CCNs in more detail so that they can consider other FOIA exemption grounds in respect of such information.

Date at which Part 2 will cease to be confidential or when confidentiality should be reviewed: Monday 10 May 2021

Legal recommendation on the grounds of keeping the information confidential:

I recommend that this information should be considered confidential at this time for the reasons set out in the section above.

Legal Adviser - I recommend that this information should be considered confidential at this time

Name TfL Legal **Date** 11 August 2020

Once this form is fully authorised, this should be circulated with the Part 1 form.

Confidential decision and/or advice: CCN-010 and CCN-011 attached