

PART 2 – CONFIDENTIAL FACTS AND ADVICE

DD2261

Title: Procurement of Unconscious Bias Learning for GLA, MOPAC and OPDC Staff

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The information below is not for publication until the stated date, because:

Disclosing GLA, MOPAC and OPDC estimated costings prior to any procurement exercise risks prejudicing the procurement exercise as it may influence providers' pricing.

Date : Once relevant agreements have been negotiated and executed (and by the latest 1 April 2019)

Legal recommendation on the grounds of keeping the information confidential:

In the event of any request for access to the information contained in this document under section 1 of the Freedom of Information Act 2000 ("the Act"), it is considered that access can be denied on the basis that the disclosure of such information would prejudice the GLA's commercial interests and therefore, is covered by the exemption under section 43 of the Act.

Section 1 of the Act creates the general right of access, which provides that any person making a request for information to a public authority is entitled:

- to be informed in writing by the public authority whether it holds information of the description specified in the request; and
- if that is the case, to have that information communicated to him/her.

Part II of the Act contains a number of exemptions from disclosure for certain classes of information. In particular, section 43 of the Act provides that information is exempt information if disclosure under the Act would, or would be likely to prejudice the commercial interests of any person (including the public authority holding it). The section above indicates that the information is considered commercially sensitive as its release could affect the GLA's ability to effectively negotiate with prospective service providers.

The section 43 exemptions are qualified exemptions and their use is therefore, subject to a public interest assessment.

Public Interest Assessment

At present, on balance, it is considered that the public interest is best served if the information is not disclosed at this point. Disclosure by the GLA would be likely to have a detrimental effect on the GLA's commercial interests and the delivery of the proposed project.

The eligibility of these exemptions should be reassessed in the event of an FOI request for this information as the level of sensitivity may change over time and different circumstances may alter the arguments in favour of non-disclosure.

Legal Adviser - I make the above recommendations that this information should be considered confidential at this time

Name Emma Brookman

Date [4 July 2018]

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

Confidential decision and/or advice:

The estimated costs for this learning are set out below:

	E-Learning £'s	Manager Workshops £'s	Team Workshops £'s	1:1 Sessions £'s	Estimated cost £'s
GLA	7,300	30,600	34,000	17,500	89,400
MOPAC	770	5,600	8,500	5,000	19,870
OPDC	240	2,300	8,500	2,500	13,540
Sub total					122,800
Contingency (10%)					12,200
Grand Total					135, 000

The profiling of the spend is estimated and will depend on the timing / duration of the procurement. Therefore budget of £135,000 is sought. These costs are based on the rates of the external provider commissioned for the existing unconscious bias programme.