

REQUEST

I was contacted by a market research company on your behalf. I have a number of questions.

1. How was the company selected?
2. Can you publish any communication between them and you?
3. Can you publish a copy of the questionnaire?
4. How much has this cost?
5. Which officers were in charge of this?
6. Did the Mayor or his deputy for policing have anything to do with this?

RESPONSE

Thank you for your Freedom of Information request of 18 July to the Mayor's Office for Policing And Crime (MOPAC). I confirm that your request has been handled under the Freedom of Information Act 2000 and that MOPAC does hold some information relating to your request. Please see responses below:

1. How was the company selected?

This information is exempt from disclosure under Section 21 of the Freedom of Information Act, since it is information which is already published, here:

<https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/governance-and-decision-making/mopac-decisions-0/approval-award-contract-research-requirements-mpsmopac>

2. Can you publish any communication between them and you?

This information is exempt from disclosure under Section 43 of the FOIA. Commercial Interests. This allows the exemption from publication of any information which would be likely to prejudice the commercial interests of any person (including the public authority holding it). Section 43 exemption is a qualified exemption and is therefore subject to a public interest test, set out below:

Public Interest Test

Factors favouring disclosure

To disclose the requested information would adhere to the basic principle of being open and transparent.

Factors favouring non-disclosure

The requested information relates to confidential details of bidders – the release of this information could be harmful both to bidders' commercial interests and to MOPAC's bargaining position when negotiating future contracts. Bidders may be unwilling to provide details of their techniques and capabilities in case these are later disclosed and potential tenderers could be dissuaded from tendering due to the risk that their confidential information may later be disclosed. Disclosure could be prejudicial to the selected bidders' commercial interests and have a detrimental effect on the procurement of services for the MOPAC.

Balance Test

There are factors favouring both disclosure and non-disclosure. The main factor favouring disclosure is openness and accountability; however, the impact of this factor is diminished due to the factors favouring non-disclosure outlined above. As such, it is my decision that the public interest at this time lies in favour of non-disclosure for the reasons outlined above.

3. Can you publish a copy of the questionnaire?

This is exempt from publication under Section 22 of the Freedom of Information Act, since it is information intended for future publication. Section 22 exemption is a qualified exemption and is therefore subject to a public interest test, set out below:

Public Interest Test

Factors favouring disclosure

To disclose the requested information would adhere to the basic principle of being open and transparent.

Factors favouring non-disclosure

There is a pre-existing intention for MOPAC to publish the questionnaire and work is currently ongoing in order for this publication to be made on the MOPAC website. Once this work has been collated, checked, verified and confirmed as per normal business process, it will be published. To disclose this information before publication would be unhelpful and has the potential to leave the information open to misinterpretation. It would not be in the public interest to disrupt the ongoing process set out above and would be a waste of public funds.

Balance Test

There are factors favouring both disclosure and non-disclosure. The main factor favouring disclosure is openness and accountability; however, the impact of this factor is diminished due to the pre-existing intention of the MOPAC to publish this information. The main factor favouring non-disclosure is the pre-existing intention of MOPAC to publish the questionnaire. As such, it is my decision that the public interest at this time lies in favour of non-disclosure for the reasons outlined above.

4. How much has this cost?

This information is exempt from disclosure under Section 21 of the Freedom of Information Act, since it is information which is already published, here:

<https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/governance-and-decision-making/mopac-decisions-0/approval-award-contract-research-requirements-mpsmopac>

5. Which officers were in charge of this?

This information is exempt from publication under Section 40(2) Data Protection. This is an absolute exemption, therefore no Public Interest Test is required.

6. Did the Mayor or his deputy for policing have anything to do with this?

This information is exempt from disclosure under Section 21 of the Freedom of Information Act, since it is information which is already published, here:

<https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/governance-and-decision-making/mopac-decisions-0/approval-award-contract-research-requirements-mpsmopac>

If you are unhappy with the response to your Freedom of Information request, please see the MOPAC website on what the next steps are at:

<https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/governance-and-decision-making/freedom-information>