

369 Fulham Road
London
SW10 9NH

16th May 2014

Our Ref: FOI 2014/205

Following your request for information under the Freedom of Information Act 2000 which we received on 17th April 2014, we are providing you information as held by Chelsea and Westminster Hospital NHS Foundation Trust.

In your query, you requested the following information:

1. Copy of the winning bid for manned security services running currently.
2. Evaluation notes of the same manned security services tender method statements

The Trust response is as follows:

In relation to 1 above, the winning bid contains commercially sensitive information. Section 43 of FOIA provides that ***information is exempt information if (1) it constitutes a trade secret and (2) if its disclosure under the Act would, or would be likely to prejudice the commercial interests of any person (including the public authority holding it)***". The Trust applies an exemption under Section 43 of the FOIA as providing a copy of the winning bid would be commercially detrimental to both the Trust and the supplier.

In relation to 2 above, Section 41 of FOIA states that: ***"information is exempt information if - (a) it was obtained by the public authority from any other person and (b) the disclosure of the information to the public would constitute a breach of confidence actionable by that or any other person"***. The notes would have been evaluated by the qualified individuals in line with the original specification criteria under Technical Evaluation. The Trust applies exemption under Section 41 of the FOIA as providing the notes would constitute a breach of confidence as the bidding process warrants confidentiality.

We trust the above information is satisfactory to you.

If you are not happy with the way in which your request has been dealt with or are dissatisfied with this response and wish to appeal, please write to Information Governance Manager at information.governance@chelwest.nhs.uk. Your complaint will be dealt with through our internal review process.

If you are still not satisfied following the Internal Review, you have a right to complaint to the Information Commissioner's Office. He can be contacted at casework@ico.org.uk.

Re-use of Public Sector Information

All information supplied by the Trust in answering a request for information under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No.1515 which came into force on 1st July 2005.

Under the terms of the Regulations, the Trust will license the re-use of any or all information supplied if being used in a form and for a purpose other than which it was originally supplied.

However, The Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Yours Sincerely

Gary Bellars
Information Governance Analyst