



**Money &
Pensions
Service**

Via Email Only

7th April 2021

Freedom of Information Ref No. FOI41

Dear [REDACTED]

Thank you for your Freedom of Information request received on 8th March 2021 in relation to the Money and Pensions Service (MaPS) Pensions Dashboard User Research project.

You asked the Money and Pensions Service the following:

“Under the Freedom of Information, we would therefore like to request a copy of the winning proposal, and copies of the proposals with the highest scores for each of the sub-criteria.”

Money and Pensions Service Response:

I can confirm MaPS holds information relevant to your request but some of the information is exempt under the Freedom of Information Act (FOIA). We believe it is not in the public interest to disclose some of the information you have asked for, and reference exemption FOIA section 43. We believe disclosing this information would fail to protect the commercial interests of other interested parties and would compromise an existing competitive market environment.

Exemption section 43 of the FOI Act exempts information which if disclosed, would be likely to prejudice the commercial interests of any person. It protects not only the commercial interests of third parties but also the commercial interests of the organisation. It can be used to protect the ability of a public authority like MaPS to obtain goods or services on the best possible commercial terms, and to protect the legitimate commercial interests of its suppliers.

As required by the FOI Act the use of this exemption requires the public interest for and against disclosure to be assessed. Generally speaking, there is a public interest in the disclosure of commercial information to ensure transparency in the accountability of public funds and to show that public money is being used effectively.

Conversely, there is a public interest in ensuring that disclosure does not compromise an existing competitive market environment. Information disclosed under the FOIA is considered to be public information, and while there is a presumption towards disclosure, consideration needs to be given as to who will have access to this information beyond the requestor and the purposes for which they could use the information.

MaPS has assessed the impact of releasing the information withheld under the exemption s.43 commercial interests. We have determined that sharing a successful bid with a competitor would potentially put that successful bidder at a commercial disadvantage and prejudice their future business plans and strategies for future competitions. Additionally, under Regulation 18 of the Public Contract Regulations MaPS would be breaching its obligation to treat all bidders fairly and equally.

Money and Pensions Service

120 Holborn, London EC1N 2TD t: +44 (0)115 9659570 w: MoneyAndPensionsService.org.uk





**Money &
Pensions
Service**

Given these considerations, we accept the public interest in promoting transparency of public authorities' decisions and accountability, however we are satisfied we have met our obligations and provided sufficient feedback to the degree possible so as to be open, transparent and maintain fairness.

I have provided some details from the bids with the highest scores according to each of the sub-criteria. This information is not exempt and is supplied in a separate document enclosed with this letter. I hope this information is useful.

If you have any queries about my response to your request do not hesitate to contact me. Please remember to quote the reference number above in any future communication.

Yours sincerely,

[REDACTED]
Complaints & Freedom of Information Officer

Encl. Money and Pensions Service Information

Your right to complain under the Freedom of Information Act

If you are not happy with this response you can ask for an internal review by e-mailing foi@maps.org.uk or by writing to Money and Pensions Service, 120 Holborn, London, EC1N 2TD. Any review request should be sent within two months of the date of this letter.

If you are not content with the outcome of an internal review you may apply directly to the Information Commissioner's Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted our own complaints procedure.

The ICO can be contacted at: Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF
<https://ico.org.uk/global/contact-us/> or telephone 0303 123 1113 or 01625 545745

Money and Pensions Service

120 Holborn, London EC1N 2TD t: +44 (0)115 9659570 w: moneyandpensionsservice.org.uk