



FREEDOM OF INFORMATION STATEMENT

Tenderers should be aware that the information provided in the completed tender and contractual documents could be disclosed in response to a request under the Freedom of Information Act. We will proceed on the basis of disclosure unless an appropriate exemption applies. No information provided by Tenderers will be accepted "in confidence" and Antrim and Newtownabbey Borough Council accepts no liability for loss as a result of any information disclosed in response to a request under the Freedom of Information Act.

Antrim and Newtownabbey Borough Council has no discretion whether or not to disclose information in response to a request under the Freedom of Information Act, unless an exemption applies. Disclosure decisions will be taken by appropriate individuals in Antrim and Newtownabbey Borough Council, having due regard to the exemptions available and the Public Interest. Tenderers should be aware that despite the availability of some exemptions, information may still be disclosed if the Public Interest in its disclosure outweighs the Public Interest in maintaining the exemption. Tenderers are required to highlight information that they include in the tender documents, which they consider to be commercially sensitive or confidential in nature, and should state the precise reasons, why that view is taken. In particular, issues concerning trade secrets and commercial sensitivity should be highlighted. Tenderers are advised against recording unnecessary information.

In accordance with the Lord Chancellors Code of Practice on the discharge of public functions¹, Antrim and Newtownabbey Borough Council will **not** accept any contractual term that purports to restrict the disclosure of information held by the Council in respect of the contract or tender exercise save as permitted by the Freedom of Information Act. The decision whether to disclose information rests solely with Antrim and Newtownabbey Borough Council.

Antrim and Newtownabbey Borough Council will consult with tenderers, where it is considered appropriate, in relation to the release of controversial information.

¹ Lord Chancellor's Code of Practice on the discharge of public authorities functions under Part 1 of the Freedom of Information Act 2000 Issued under Section 45 of the Act.