

## PART 2 – CONFIDENTIAL FACTS AND ADVICE

**MD2011**

### **Title: GLA European Social Fund (ESF) 2014-20 Programme (Externally Developed projects)**

*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.*

#### **This information is not for publication until the stated date, because:**

The GLA are required to keep all project descriptions, values and outcomes confidential until such time as we are ready to commence the grant award process in order to ensure that no organisation is given a competitive advantage in bidding. Therefore, due to the staggered nature of the intended programme procurement, all Annexes should remain confidential.

**Date** at which Part 2 will cease to be confidential or when confidentiality should be reviewed:  
30 January 2017.

#### **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 and proposed recipients' 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 which provides that information is exempt information 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).

Here, officers have indicated that the information is considered commercially sensitive as its release could affect detrimentally the GLA's and the recipient's ability to deliver and achieve value for money as part of any grant award processes for any required funding rounds.

The section 43 exemption is a qualified exemption and its use is therefore, subject to a public interest assessment.

**Public Interest Assessment**

At present, on balance therefore, officers consider that the public interest is best served if the information is not disclosed at this point. Disclosure may have a detrimental effect on the GLA's and the recipient's abilities to operate in a manner which secures value for public money which is not in the public interest.

The eligibility of this exemption should be reassessed in the event of an FOI request for this information as the level of sensitivity will 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:** Tom Elphick, TfL Legal

**Date:** 6 May 2016

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

**Confidential decision and/or advice:**

**Part 2, Appendix A: Summary of Indicative GLA ESF 2014-20 Project Proposals**

Project Name	Indicative Primary Outcomes	Indicative Project Value (50% ESF, 50% Match)
LLDC Built Environment	Starters 550 Into employment 390 Employment Sustained for 26 weeks 175	<b>TOTAL</b> <b>700,000</b>
LLDC Cultural and Creative	Starters 450 Into employment 210 Employment Sustained for 26 weeks 100	<b>TOTAL</b> <b>500,000</b>
LLDC Digital and Technology	Starters 450 Into employment 210 Employment Sustained for 26 weeks 100	<b>TOTAL</b> <b>500,000</b>
LLDC Skills Development	Starters 490 Gaining a L2 or L2 unit 300 Gaining a L3 or L3 unit 50	<b>TOTAL</b> <b>1,000,000</b>
OPDC	Starters 1575 Into employment 328 Into education 1011 Employment Sustained for 26 weeks 164 Education Sustained for 26 weeks 670	<b>TOTAL</b> <b>1,170,240</b>
Haringey Skills	Starters 360 Into employment 162 Into education 72 Employment Sustained for 26 weeks 105 Education Sustained for 26 weeks 47	<b>TOTAL</b> <b>900,000</b>