



Information Governance Team

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Dear Sir/Madam.

**Freedom of Information Act 2000 (FOIA)
Request ID: REQ07510**

Thank you for your request for information relating to school software support.

You have requested the following information:

- 1. Do you provide traded services to schools in your area, or do you contract this out to another party that is outside the local authority? If so, to which?**

Coventry City Council provide traded services to schools.

- 2. Which school MIS (management information systems) providers do you hold support contracts or accreditations with, and for each MIS provider:**

- a. What is the nature of the current arrangement (a paid contract, an unpaid accreditation)?**

SIMS Paid Contract. We are not accredited but we have a support contract with Capita SIMS.

- b. When did the current arrangement begin and when it will finish (including any extensions)?**

Following careful consideration, the information you requested falls under the exemption(s) in Section 21 of the Freedom of Information Act 2000, which relates to 'information reasonably accessible to the applicant by other means.'

The exemption applies as the information is published and publicly available to view by accessing the Council website, please use the following link:

<https://www.coventry.gov.uk/contractsregister>

The reference for the relevant contract is MD-133-2018

c. If a paid contract, under what basis did you procure it (e.g. directly, through a framework, via OJEU procurement, other)?

OJEU procurement.

3. How many schools do you provide MIS support services to, and:

a. How does this break down by Primary Academies, Primary Maintained, Secondary Academies, Secondary Maintained, Other (incl. PRUs, SENs)?

61 maintained primary schools
13 Academy primary schools
9 Academy secondary schools

b. How does this break down by MIS provider?

All provided by SIMS.

c. How has this total changed between 2018/19, 2019/20 and this year (say as at June 1st 2018 vs. June 1st 2019 vs. June 1st 2020, or any similar convenient dates)?

This has not changed in the time frame requested.

4. As part of your support to schools for each of these MIS providers, which of the following activities do you carry out (I am interested in whether the activities differ between MIS providers):

a. 1st line support

Yes.

b. 2nd line support

Yes.

c. 3rd line support

Yes.

d. Implementations

Yes.

e. Data audits / cleansing

Yes.

f. Regulatory / census submissions

Yes.

g. Server management

Yes.

h. Main data hosting

No.

i. Data backup

Yes.

j. User training

Yes.

k. Provide templates / configuration

Yes.

l. Analysis of data / insight services

Yes.

m. Resale of the software to schools (on a commission basis)

No.

n. Hosting or arranging local user group meetings/events

Yes.

5. What was your total traded services income from schools (for all services) in 2018/19 and 2019/20?

6. What was your total traded service income for providing schools with MIS support for 2018/19 and 2019/20?

7. What is the current amount of de-delegated funding that you levy on LA-maintained schools (either in total, on a per school level, or a per learner level - whichever is easiest)?

8. What software or digital tools (learning, safeguarding or admin) do you provide to schools under the de-delegated funding allocation?

For Questions 5 to 8, it is confirmed that the Council does hold information pursuant to your request. However, it is our view that the information is exempt from disclosure under Section 43(2) – Commercially Sensitive Information. Section 43(2) exempts information from disclosure where disclosure of that information would, or would be likely to, prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity).

It is the Council's position that the third-party providers and its own commercial interests would be prejudiced and/or would be likely to be prejudiced by the disclosure of the requested information.

Once the information is disclosed this means that it will be in the public domain and it could not only be used by the requester but also any other providers in a similar market.

Arguments in favour of disclosure.

- Promote accountability and transparency for the Council's decisions and in its spending of public money.
- Assist the public to understand and challenge our decisions.
- Inform the public of the activities carried out on their behalf, allowing for more user involvement and collaborative decision making.
- Enable the public to better scrutinise the public monies spent

Arguments against disclosure.

- There is a public interest in allowing public authorities to withhold information which if disclosed, would reduce providers' ability to compete in a commercial environment.
- The successful providers operate in a competitive market. If prejudicing the commercial interests of the successful providers in the market would distort competition in that market, this in itself would not be in the public interest.
- There is a public interest in protecting the commercial interests of individual schools.
- Disclosure of information may cause unwarranted reputational damage or loss of confidence in the Council.
- Revealing information such as a pricing mechanism can be detrimental to a provider's commercial interest. If an organisation has knowledge of a provider's business model, it can exploit this for its own commercial interest. This would also have a detrimental impact on the Council on other contracts and procurements by distorting the market, for the reasons stated above.

Having taken into account the arguments for and against disclosure, the Council has decided that the public interest in this case is best served by maintaining the exemption under section 43(2) FOIA and by not disclosing the information requested.

The decision to withhold the information requested is therefore upheld on the basis that Section 43(2) in relation to commercially sensitive information has been applied correctly.

The supply of information in response to a freedom of information request does not confer an automatic right to re-use the information. You can use any information supplied for the purposes of private study and non-commercial research without requiring further permission. Similarly, information supplied can also be re-used for the purposes of news reporting. An exception to this is photographs. Please contact us if you wish to use the information for any other purpose.

For information, we publish a variety of information such as: [FOI/EIR Disclosure Log](#), [Publication Scheme](#), [Facts about Coventry](#) and [Open Data](#) that you may find of useful if you are looking for information in the future.

If you are unhappy with the handling of your request, you can ask us to review our response. Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: infogov@coventry.gov.uk

If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email casework@ico.org.uk.

Please remember to quote the reference number above in your response.

Yours faithfully

Information Governance