



Information Governance Team

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Dear Sir/Madam

Freedom of Information Act 2000 (FOIA)

Request ID: FOI379153430

Thank you for your request for information relating to Music Administration and Management Software System.

You have requested the following information:

Please can you provide the following information;

1) The provider and name of the Music administration and management software system used by your Music Service?

We can confirm that we hold this information and it is accessible to you via the Council website, please use the following link:-

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

We therefore do not have to provide the information as per Section 21 of the FOIA. To assist the system is SpeedAdmin Aps.

2) Confirm whether the system is installed on-premise, cloud-hosted or cloud-based?

Cloud-hosted.

3) Confirm the number of licensed users broken down as follows;

a. admin staff

b. management staff

c. music teachers

d. pupils

e. guardians

There are no limits to licences - users, students and schools. Initially we estimated up to 500 service users/students to begin with and estimate that it will be up to 2,000 users/students at its peak, however this is dependent upon student growth. There are currently 421 users on the system.

4) The annual cost of the system broken down as follows if applicable;

a. annual maintenance

b. hosting costs

The contract value is accessible on the Council's Contracts Register (see response to Question 1 above). In relation to the breakdown of costs 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 the following exemptions in the FOIA:

SECTION 43(2) – COMMERCIAL 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 contractor's and its own commercial interests would be prejudiced and/or would be likely to be prejudiced by the disclosure of the requested information.

The exemption at s 43(2) is qualified, and therefore subject to a public interest test. Even where a qualified exemption is engaged it can only be applied where the public interest in withholding information outweighs that in favour of releasing it. In applying the public interest test the Council have given careful consideration to the arguments for and against disclosure.

Part 1 – Arguments in Favour of Disclosure

1. Promote accountability and transparency for the Council's decisions and in its spending of public money
2. Assist the public to understand and challenge our decisions
3. Inform the public of the activities carried out on their behalf, allowing for more user involvement and collaborative decision making
4. Enable the public to better scrutinise the public monies spent
5. Help to ensure clarity around fairness, equity, value for money and quality of care in the overall tender process

Part 2 – Arguments Against Disclosure

1. 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, for the reasons given above
2. The successful tenderers operate in a competitive market. If prejudicing the commercial interests of the successful tenderers in the market would distort competition in that market, this in itself would not be in the public interest
3. There is a public interest in protecting the commercial interests of individual companies and ensuring they are able to compete fairly: "If the commercial secrets of one of the players in the market were revealed then its competitive position would be eroded and the whole market would be less competitive with the result that the public benefit of having an efficient competitive market would be to some extent eroded" (taken from the decision of the (then) Information Tribunal in *Visser v ICO EA/2011/0188* at paragraph 20)
4. Disclosure of information may cause unwarranted reputational damage or loss of confidence in the Council
5. 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

The Balancing Exercise

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 Council considers that the possible benefits of disclosure are outweighed by the real risk of causing prejudice to the commercial interests of the parties concerned and the Council itself. In this case there is an overriding public interest in ensuring that companies are able to compete fairly and in ensuring there is competition for public sector contracts. It is more probable than not that disclosure would prejudice both the successful tenderers' and the Council's commercial interests.

5) The contract start and end date?

See response to Question 1. 01/01/21 – 31/12/28

The supply of information in response to a FOI/EIR 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 icocasework@ico.org.uk.

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

Yours faithfully

Information Governance