

London Borough of Barnet  
2 Bristol Avenue,  
Colindale NW9 4EW  
13th January 2023  
Our ref: 8945696

Thank you for your request received on 9th January 2023, for the following information:

- 1. Which company is the supplier of the Electoral Management System (EMS) for the London Borough of Barnet?**
- 2. What modules are included in the contract for the supply of Barnet's EMS? Examples could include tablet canvassing, automated boundary changes, online staffing app etc.**
- 3. What is the annual value of the current EMS contract, including any modules mentioned in response to question 2?**
- 4. In what year was the current contract awarded?**
- 5. For how many years was the current contract awarded?**
- 6. Is the authority's EMS contract now on a fixed term basis or a rolling annual basis?**
  - a. If fixed, when does the current contract expire?**
  - b. If rolling, what is the anniversary renewal date?**
- 7. When is the next EMS procurement process scheduled to begin? If this information isn't known, please provide a best estimate and make clear that it's an estimate.**
- 8. When did the last EMS procurement take place?**
- 9. Which suppliers were invited to bid during the last EMS procurement?**
- 10. What is the name and the job title of the person at Barnet that manages electoral services?**
- 11. If known, what is the name, work phone number and job title of the procurement officer at Barnet who will manage the next EMS procurement process?**

We have processed this request under the Freedom of Information Act 2000.

## **Response**

I can confirm that London Borough of Barnet holds the information you requested.

However, we believe that the exemptions detailed below apply to some of this information and this is withheld. Please see the Refusal Notice below.

**1. Which company is the supplier of the Electoral Management System (EMS) for the London Borough of Barnet?**

Democracy Counts Limited

**2. What modules are included in the contract for the supply of Barnet's EMS? Examples could include tablet canvassing, automated boundary changes, online staffing app etc.**

Section 43 – Commercial Interests – See Refusal Notice below

**3. What is the annual value of the current EMS contract, including any modules mentioned in response to question 2?**

£18,000

**4. In what year was the current contract awarded?**

1<sup>st</sup> April 2017

**5. For how many years was the current contract awarded?**

3 Years + 1 year extension

**6. Is the authority's EMS contract now on a fixed term basis or a rolling annual basis?**

Contract was extended from 31<sup>st</sup> March 2021 to 31<sup>st</sup> March 2023

**a. If fixed, when does the current contract expire?**

Contract expires 31<sup>st</sup> March 2023

**b. If rolling, what is the anniversary renewal date?**

N/a

**7. When is the next EMS procurement process scheduled to begin? If this information isn't known, please provide a best estimate and make clear that it's an estimate.**

Procurement process is in progress

**8. When did the last EMS procurement take place?**

2017

**9. Which suppliers were invited to bid during the last EMS procurement?**

Section 41 information provided in Confidence and Section 43 Commercial Interest – See Refusal Notice below

**10. What is the name and the job title of the person at Barnet that manages electoral services?**

Head of Electoral Services

**11. If known, what is the name, work phone number and job title of the procurement officer at Barnet who will manage the next EMS procurement process?**

Section 40 – personal data – See Refusal Notice below

**Refusal Notice**

**Section 43 – Commercial interests**

Section 43(2) provides for exemption from disclosure information that would or would be likely to prejudice the commercial interests of any person. In this circumstance, the information we hold relates to the commercial interests of a third party company called Democracy Counts Limited the successful bidder for the EMS procurement and other suppliers information who bid for the contract.

The information held in relation to Democracy Counts Limited relates to their delivery of our service, namely the modules of the system used by the Council and information supplied as part of the original procurement exercise. The information held about the other suppliers relates to the names of the companies that were involved in the procurement. Release of this information would prejudice their commercial interests as it could have a detrimental impact on their ability to compete with other companies by giving valuable insight into the structure of the current offer.

Application of this exemption is also subject to the public interest test. The Council recognises there is a public interest in understanding how public funds are spent in an open and accountable manner. In order to meet that public interest, we have released information on our tender evaluation process. There is also a public interest in companies being able to compete fairly within the market in which they operate and therefore not putting companies at a commercial disadvantage. Releasing this information would weaken their ability to participate competitively in the market and put them at a commercial disadvantage. There is also a public interest in public authorities being able to run an effective procurement process ensuring the Council can achieve value for money in our contracts.

Releasing this information would limit our ability to engage with contractors and obtain information from them needed to ensure the tender process is fair and maintains value for money. Having carefully weighed the public interest relating to possible disclosure of the information requested under Section 43(2), we are satisfied that it is not appropriate at this time to disclose the information which the Council holds. The Council is satisfied that maintaining the exemption outweighs the public interest in disclosure.

**S41 – Information in Confidence**

Some of the information has been removed where indicated in order to prevent a breach of confidence under terms of the original procurement exercise. The information in question has been provided to the London Borough of Barnet by third parties in circumstances in which they may legitimately expect that it would not be

shared with others and it is therefore exempt under section 41 (1) of the Freedom of Information Act 2000 (FOIA).

This is an absolute exemption and no test of public interest applies.

#### **S40 – personal data**

The information you require is attached, but some information has been withheld. This is because in some instances, disclosing this data may make it possible for individuals to be identified. This information is therefore exempt by virtue of section 40 (2) of the Freedom of Information Act 2000 (FOIA), as disclosure of this information to the public generally, in the Council's view, would not be consistent with data protection principles in Article 5 of the General Data Protection Regulations. This is an absolute exemption and the public interest test does not apply.

#### **Further information**

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

#### **Advice and Assistance : Direct Marketing**

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link [www.ico.org.uk](http://www.ico.org.uk)

**For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.**

#### **Your rights**

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk). Or by post to Records & Information Management Service, Assurance Group, London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website [www.ico.org.uk](http://www.ico.org.uk)). There is no charge for making an appeal.