

## Schedule 5 (Commercially Sensitive Information)

### 1. What is the Commercially Sensitive Information?

- 1.1 In this Schedule the Parties have sought to identify the Supplier's Confidential Information that is genuinely commercially sensitive and the disclosure of which would be the subject of an exemption under the FOIA and the EIRs.
- 1.2 Where possible, the Parties have sought to identify when any relevant Information will cease to fall into the category of Information to which this Schedule applies in the table below and in the Award Form (which shall be deemed incorporated into the table below).
- 1.3 Without prejudice to the Buyer's obligation to disclose Information in accordance with FOIA or Clause 20 (When you can share information), the Buyer will, in its sole discretion, acting reasonably, seek to apply the relevant exemption set out in the FOIA to the following Information:

| No. | Date       | Item(s)   | Duration of Confidentiality |
|-----|------------|---|-----------------------------|
| 1   | 17/05/2023 | Commercial Response to tender (inc. rates and benefits) | 3 years after contract end  |
| 2   | 17/05/2023 | Technical Response to Tender                            | 3 years after contract end  |
| 3   | 17/05/2023 | Service Delivery Plans                                  | 3 years after contract end  |