

Primary Care Support Services Call-Off Terms

Schedule 3.2

Commercially Sensitive Information

OFFICIAL - SENSITIVE - COMMERCIAL
PCSS Call-Off Terms
Schedule 3.2 (Commercially Sensitive Information)

1. Introduction

- 1.1 Without prejudice to the Customer's general obligation of confidentiality, the Parties acknowledge that the Customer may have to disclose Information in or relating to this Call-Off Agreement following a Request for Information pursuant to Clause 29 (Freedom of Information).
- 1.2 In this Schedule the Supplier has sought to identify Confidential Information of the Supplier that it considers falls within one of the exemptions available to the Customer under FOIA, e.g. Confidential Information that the Supplier considers to be genuinely commercially sensitive and the disclosure of which it considers would be contrary to the public interest.
- 1.3 Where possible the Supplier has sought to identify under the heading "Review Date" where it considers that any relevant Information will cease to fall into the category of Information to which this Schedule applies.
- 1.4 Without prejudice to the Customer's obligation to disclose Information in accordance with FOIA, the Customer may, acting reasonably but in its sole discretion, seek to apply the relevant exemption under FOIA which the Supplier requests should apply to the relevant Designated Information.
- 1.5 The parties have sought to apply current guidance on disclosure of Commercially Sensitive Information in accordance with FOIA. In the event of changes to guidance which affect the contents of Annex 1, the parties shall meet and consider such guidance and where required shall update the table below.

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Annex 1

Commercially Sensitive Information

The generic Call-Off Terms as set out in Schedule 2.1 (Call-Off Procedure) to the Framework Agreement, shall not be considered to be Commercially Sensitive Information.

The following table sets out specific aspects of this Call-Off Agreement which are considered to be Commercially Sensitive Information.

[TABLE REDACTED]