

Ally Tibbitt

23 October 2017

Dear Mr Tibbitt

## **REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)**

Thank you for your request dated 23 September 2017 under the Freedom of Information (Scotland) Act 2002 (FOISA).

### Your request

You asked for the following information:

1. The costs incurred by FSS in paid advertising on social media, including: Facebook, Twitter, YouTube and LinkedIn in the last two years, broken down by quarter and social media platform.
2. A copy of the digital file or a link to each social media asset used in paid campaigns by FSS, along with details of each platform it was published on, and the specific audience that FSS opted to target the advert at. This information can easily be obtained from the platforms themselves, through, for example, the Facebook "Business Manager" page - or the equivalent for the other platforms.
3. A copy of any meeting minutes, reports, emails, presentations or other internal documents held that discusses the strategy, performance and evaluation of paid, social media marketing undertaken by the department.'

### Response to your request

I attach documents showing some of the information you requested.

While our aim is to provide information whenever possible, in this instance we are unable to provide some of the information you have requested because exemptions under sections, s.33(1)(b) Commercial Interests and s.38(1)(b) (personal information) of FOISA applies to that information. The reasons why the exemptions apply are explained in the Annex to this letter.

Yours sincerely

Stuart Keith  
Correspondence Officer  
Food Standards Scotland

## REASONS FOR NOT PROVIDING INFORMATION

### An exemption applies, subject to the public interest test

An exemption under section s.33(1)(b) (Commercial Interests) of FOISA applies to some of the information you have requested. Disclosing this information would be likely to give the contractors' competitors an advantage in future tendering exercises for similar work, which would substantially prejudice the contractors' ability to submit competitive tenders and so could significantly harm their commercial business.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open and transparent government, and to help account for the expenditure of public money. However, there is a greater public interest in protecting the commercial interests of companies which tender for contracts, to ensure that we are always able to obtain the best value for public money. In this case the information requested contained details on the performance of different methodologies and platforms for delivery of creative content. It is felt that disclosing this information could provide a competitive advantage and therefore is commercially sensitive.

### An exemption applies

An exemption under section 38(1)(b) of FOISA (personal information) applies to a small amount of the information requested because it is personal data of a third party, ie contact details of individuals, and disclosing it would contravene the data protection principles in Schedule 1 to the Data Protection Act 1998. This exemption is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption.