

Official

Ref: FOI-301

Sent via email only: [REDACTED]

13 May 2021

Dear [REDACTED]

Thank you for your email of 1 March 2021 in which you requested information from UK Anti-Doping ('UKAD') under the Freedom of Information Act 2000 ('the Act').

Specifically, your request was as follows:

"1. How many staff have undergone unconscious bias training over the last five calendar years? Please could you break down the number by year from 2021 (up to and including the end of February), 2020, 2019, 2018 and 2017.

Response: One unconscious bias training session has been provided in the last five calendar years. This took place in 2020 and was attended by 14 members of staff.

2. How much money has been spent on unconscious bias for staff over the last five calendar years? Please could you break down the figure by year for 2021 (up to and including the end of February), 2020, 2019, 2018 and 2017. In each case where there has been expenditure on unconscious bias training, please could you state which company the money went to, how much, and the date of the payment.

Response: The unconscious bias training given to UKAD in 2020 was provided by Inclusion in Sport.

UKAD confirms that it holds the information requested regarding the money spent on unconscious bias training in the last five calendar years, however, we are withholding this under the exemption provided in section 43 of the Act. This is on the grounds that releasing the information would be likely to prejudice the commercial interests of both UKAD and a third party (Inclusion in Sport).

Section 43(2) of the Act provides as follows:

Information is exempt information if its disclosure under this Act would, or would be likely to prejudice the commercial interests of any person (including the public authority holding it).

UKAD has concluded that information about the amount spent on unconscious bias training is exempt from disclosure because to do so would be likely to prejudice the commercial interests of both UKAD and Inclusion in Sport. This is because revealing such commercially sensitive information to Inclusion in Sport's competitors would be likely to place Inclusion in Sport at a disadvantage in future negotiations with both UKAD and other organisations; specifically, disclosing the company's pricing structure could enable competitors to undercut Inclusion in Sport in the future.

Likewise, revealing the fees paid by UKAD would likely adversely affect UKAD's bargaining position in any future negotiations for training and result in less competitive tender applications being made. Disclosing such information would also be likely to deter other companies from contracting with UKAD (and other public authorities) in the future, undermining UKAD's ability to obtain value for money in future contracts.

Having determined the prejudice that would likely arise from disclosing the cost of UKAD's training, UKAD has gone on to consider whether the public interest test requires disclosure of this information.

UKAD recognises the public interest in public authorities being transparent and accountable, particularly in relation to expenditure of public funds. UKAD also recognises that it is in the public interest to ensure that the authorities are obtaining value for money, and that disclosing the cost of UKAD's training would allow the public to undertake such an evaluation.

Conversely, there is also the public interest in fairness of competition and in ensuring that the ability of public authorities to obtain value for money is not undermined. Disclosure of fees paid to Inclusion in Sport would be likely to damage its ability to compete on a level playing field and cause fair competition to be reduced, simply because Inclusion in Sport has contracted with a public authority. As a result, the risk arises that fewer companies may be willing to contract with UKAD, and that less competitive tender applications will be made, undermining UKAD's ability to obtain value for money in its future expenditure of public funds.

Having considered the public interest arguments both for and against maintaining the exemption, UKAD has concluded that the balance of the public interests falls in favour of non-disclosure in this instance.

3. If unconscious bias training has been provided to staff, please could you provide details of the format of the training is – its title, how many hours/days the training lasts, and any other relevant detail which summarises what it entails.

Response: The unconscious bias training which took place in 2020 was a half-day session at the UKAD office.

4. If possible, please could you provide a copy of any training material – documentation including, but not limited to, training packs, worksheets, fact sheets etc – distributed to staff as part of the unconscious bias training in any of the above years. Please note, if this is not possible, please proceed with the remainder of the request.

Response: UKAD are unable to provide the training materials used at the unconscious bias training in 2020 because the material is owned by the course provider. UKAD does not own the right to further distribution of the course materials.

Conclusion

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your request and should be addressed via email to: foi@ukad.org.uk. Please remember to quote the reference number above in any further communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

UK Anti-Doping