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Bwrdd Iechyd Prifysgol
Caerdydd a'r Fro
Cardiff and Vale
University Health Board

Freedom of Information Act 2000 - Request Reference FoI/22/162

EPR and PAS Systems

Information Requested:

We are currently updating data on your trust's EPR and Patient Administration System (PAS). Can you please complete the fields below with what you currently hold? Please enter 'No System Installed' under supplier name if your trust does not use the system:

System type – EPR – PAS

Supplier name – In house developed – Cardiff and Vale University Health Board

System name – PMS System

Date installed – First versions, 1997.

Contract expiration – Not applicable.

Total value of contract (£) – After considering your request, Cardiff and Vale University Health Board (the UHB) considers this information to be exempt from disclosure under the Freedom of Information Act 2000 (Section 43) Commercial Interests. This section of the Act sets out an exemption from the right to know if:

- the information requested is a trade secret, or
- release of the information is likely to prejudice the commercial interests of any person. (A person may be an individual, a company, the public authority itself or any other legal entity).

This exemption was considered by the UHB when deciding whether to disclose information because it considered that in doing so there could be a significant risk in prejudicing the commercial interests of both Cardiff University and the UHB. As this is a qualified exemption, the UHB is required to complete a public interest test in deciding whether it is in the public's interest to withhold or disclose the information.

In favour of disclosure: There is a public interest in transparency and in the accountability of spending of public funds. Furthermore, it is in the public's interest that public funds be used effectively and that public sector bodies obtain the best value for money when contracting for the provision of services.

Against disclosure: It has been established that releasing the information sought under the Freedom of Information Act, to which the UHB is subject, will give an unfair advantage to the supplier's competitors. There is a risk of disclosure prejudicing the commercial interests of the UHB by affecting





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its bargaining position with suppliers. This in turn could lead to less effective use of public funds in future. The UHB believes that there is wider established public interest in suppliers not being prejudiced merely because they have contracted with a public sector body (as upheld in ICO decision notice FS50473543 ICO v Royal Marsden Hospital Trust).

Decision: The UHB considers that the public interest in withholding the information is greater than the interests in disclosing it and thereby giving unfair commercial advantage to competitors of the supplier to which this information concerns. The UHB believes that disclosure of information in a manner which fails to protect the interests and relationships arising in a commercial context could have the effect of discouraging companies from dealing with the Health Board because of fears that the disclosure of information could damage them commercially. In turn this could then jeopardise the Health Board's ability to compete fairly and pursue its function to bring forward development in the area and obtain value for money. It was therefore decided that it was not in the public's interest to disclose this information.

Is this contract annually renewed? - ~~Yes~~/No

Do you currently have plans to replace this system? - ~~Yes~~/No

Procurement framework – Not applicable.

Other systems it integrates with? – Cardiff and Vale University Health Board (the UHB) is withholding this information, relying on Section 31 (1) (a) of the Freedom of Information Act 2000 (prevention and detection of crime). Specifically, the UHB believes that disclosing details regarding its ICT infrastructure, or support of that infrastructure, would be likely to prejudice the prevention of crime, particularly cyber-crime. As this is a qualified exemption, the UHB is required to complete a public interest test in deciding whether it is in the public's interest to withhold or disclose the information.

Public Interest Test:

In favour of disclosure: The UHB recognises there is a public interest in transparency and in public authorities demonstrating that their systems effectively protect personal data.

Against disclosure: There is a very strong public interest in protecting the extremely sensitive data held by the UHB. Cyber Security and the associated Cyber-Risk / Cyber-Attacks represent a rapidly evolving arena that becomes more complex and dangerous with time. Releasing details of the UHB's ICT infrastructure into the public domain significantly reduces its capacity to manage this threat to the stated public interest by exposing potential vulnerabilities.





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Decision: The UHB considers that the public interest in withholding the information is significantly greater than any interest there may be in disclosing it and potentially exposing sensitive personal data to an increased level of risk. The UHB strongly believes that posing additional unnecessary risk to the UHB, and consequently patient care and safety, would be viewed as an unacceptable risk by the public. Whilst the UHB acknowledges a public interest in providing assurances of effective protection of personal data, it believes the most effective means of increasing public confidence in data protection is to successfully protect the data itself. The UHB considers its responsibility to protect the personal data of patients and staff to be of the highest importance. It was therefore decided that it was not in the public's interest to disclose this information.

System type - PAS

Please see above.

Supplier name

System name -

Date installed -

Contract expiration -

Total value of contract (£) –

Notes - e.g. we are currently out to tender

Is this contract annually renewed? - Yes/No

Do you currently have plans to replace this system? - Yes/No

Procurement framework -

Other systems it integrates with? -

Notes - e.g. we are currently out to tender

System definition:

Electronic Patient Record (EPR) – An electronic patient/health record is a digital version of a patient's paper chart.

Patient Administration Systems (PAS) – these are the core enterprise systems, containing a Master Patient Index, used by NHS trusts to enable them to know when a patient has arrived, who they are, who they were seen by, what treatment they received and what happened to them. This core functionality, needed by every trust, covers admission, discharge and transfer.

