

Freedom of Information Act 2000 - Request Reference FoI/22/436

IT Software

Information Requested:

1. Number of Employees

16,304

2. Number of IT Staff

105

3. The name of your current IT Service Management Software and the company that supplies it

Ivanti Neurons – Ivanti

4. Whether this is a Cloud / SaaS or On-Premise Solution

Cloud/SaaS with some On-Premise Integration Servers.

5. The number of licences and whether these are Named or Concurrent

50 concurrent licenses

6. The length of your current contract for this Software / Service

36 months.

7. The contract expiry date, and whether you intend to change it

22nd March 2024

8. The Contract Review Date: (approximate date of when the organisation is planning to review this contract.):

Six months before end of contract.

9. The Annual cost of the 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 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.

10. The Total cost of the contract

Please see response to question 9.

11. The person responsible for this Software / Service and their contact details (name + email + direct phone number if possible)

After considering your request, the UHB believes that the data requested is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute unfair and unlawful processing in regard to Articles 5, 6, and 9 of GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.

12. The lead person to contact about any future projects to review or replace this Software / Service, and their contact details (name + email + direct phone number if possible)

After considering your request, the UHB believes that the data requested is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute unfair and unlawful processing in regard to Articles 5, 6, and 9 of GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.

If this solution is currently on Premise, please could you also provide the following information:

13. Do you have a cloud migration strategy?

Not applicable.

14. If so, is there specific budget allocated to this?

Not applicable.

15. Would you be looking to move to a cloud service at the end of the current contract?

Not applicable.