

Freedom of Information Act 2000 – Request Reference FoI/24/366
Staffing Systems

Job Planning			
For each of the staff group categories:	Consultants	AHPs	Advanced Nurse Practitioners
Does your organisation use job planning software to job plan this staff group? (YES/NO)	Yes	No	No
If the response was YES to question 1, what is the name of your job planning software?	Allocate eJob Plan	N/A	N/A
What is the contract start date for the job planning software? (dd/mm/yyyy)	30/08/2023	N/A	N/A
What is the contract expiry date for the job planning software? (dd/mm/yyyy)	30/08/2025	N/A	N/A
How many licenses is your contract for?	1,100	N/A	N/A

Appraisals			
For each of the staff group categories:	Medics	AHPs	Nurses
Does your organisation use software to manage appraisals for this staff group? (YES/NO) <i>(Note: Medical appraisal guide (MAG) model appraisal form is not a technology in this regard)</i>	Yes	Yes	Yes
If the response was YES to question 1, what is the name of your appraisals software?	MARS	ESR	ESR
What is the contract start date for the appraisals software? (dd/mm/yyyy)	Not held	Not held	Not held
What is the contract expiry date for the appraisals software? (dd/mm/yyyy)	Not held	31/08/2025	31/08/2025
How many licenses is your contract for?	Not held	Section 43	Section 43

After considering your request for the number of licences for nurse appraisals, Cardiff and Vale University Health Board (the UHB) considers this information to be exempt from disclosure under section 43 of the Freedom of Information Act 2000 ('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 the supplier 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 is not in the public's interest to disclose this information.

In respect of the appraisals conducted for medics, please note that certain information is not held by the UHB, rather, please refer to Health Education and Improvement Wales (HEIW), the strategic workforce body for NHS Wales, at the following HEIW [weblink](#).

In respect of your request for the contract start date for the appraisal software for AHPs and nurses, the UHB can advise that this is a workforce contract agreed by NHS Wales Shared Services Partnership (NWSSP). You may wish to redirect your request to NWSSP [here](#).