

Reference:	FOI.4379.20
Subject:	Medic appraisals
Date of Request:	26 October 2020

Requested:

1. Does the organisation use an external supplier to supply software for the management of medics annual appraisals, revalidation and 360 degree multi source feedback
2. If so, which supplier does the organisation use for
 - a. Medic Appraisals and Revalidation
 - b. 360 degree multi source feedback
3. What was the annual cost to the third party in 19/20 for?
 - a. Medic Appraisals and Revalidation
 - b. 360 degree multi source feedback
4. Please can you provide the contract start and end date for?
 - a. Medic Appraisals and Revalidation
 - b. 360 degree multi source feedback
5. Did the organisation procure the supplier via a framework? If so, which framework?
 - a. Medic Appraisals and Revalidation
 - b. 360 degree multi source feedback

Response:

1. Hywel Dda University Health Board (UHB) confirms that it does use an external supplier to supply software for the management of medic's annual appraisals, revalidation and 360 degree multi source feedback.
- 2a. The UHB confirms that Health Education & Improvement Wales (HEIW) Revalidation Support Unit host the online Medical Appraisal and Revalidation System (MARS), which is used across NHS Wales.
- 2b. The UHB confirms that from 1 April 2020, the 360-degree multi source feedback supplier used is Orbit, hosted by HEIW and the Improvement Wales Revalidation Support Unit.
- 3a. The UHB confirms that it is not charged for the use of MARS.
- 3b. As the costs requested from the UHB relates to third parties, the UHB considers that Section 43 applies to the annual cost requested, as answering would be Prejudicial to their Commercial Interests. Section 43(2) exempts information, disclosure of which would or would be likely to prejudice the commercial interests of any person, in this case the provider listed above.

Commercial interests may be prejudiced where disclosure would, or would likely to:

Weaken a company's position in a competitive environment by revealing market sensitive information or information of potential usefulness to its competitors.

Damage a company's business reputation or the confidence that customers/users, suppliers or investors may have in it.

This exemption is qualified; therefore, even if information falls within Section 43, public authorities must then apply the public interest test set out in Section 2(2)(b). The information can only be withheld if the public interest in maintaining the exemption outweighs the public interest in disclosure.

The UHB has therefore considered the following:

In favour of disclosure:-There is a public interest in transparency and in the accountability 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. Private sector bodies engaging in commercial activities with the public sector must expect some information about those activities to be disclosed.

Against Disclosure:- Disclosure of this information would have a direct impact and cause substantial harm to the suppliers listed as it would disclose their pricing, and this would be likely that this would damage their ability to work within a highly competitive sector. The information being requested is likely to be used by their competitors to gain a competitive advantage.

It has therefore been decided above that releasing the information under the Freedom of Information Act, to which the UHB is subject, will give an unfair advantage to the suppliers' competitors. The UHB believes that there is wider established public interest in companies not being prejudiced merely because they have contracted with a public sector body, and that there is a public interest in ensuring that there is competition for public sector contracts.

Decision:-The UHB considers that the public interest in withholding the annual costs for its 360-degree multi source feedback supplier, is greater than the interests in disclosing it.

4. & 5. The UHB does not hold the information requested. The system is managed on an all Wales basis by HEIW. Please re-direct your request to HEIW.foi@wales.nhs.uk