

Reference:	FOI.14210.24
Subject:	Software and costs
Date of Request:	12 April 2024

Requested:

I would like to make a request under Freedom of Information Act relating to Allied Health Professionals & medics job planning at your Organisation. Please respond to the following questions:

1. Which software provider does the Trust use for Allied Health Professionals job planning
2. Which software provider does the Trust use for medics job planning
3. What was the annual cost for the Trust's current Allied Health Professionals job planning software in 2023 to 2024
4. What was the annual cost for the Trust's current medics job planning software in 2023 to 2024
5. What is the contractual end date of your current Allied Health Professionals job planning software
6. What is the contractual end date of your current medics job planning software

Response:

Hywel Dda University Health Board is applying a Section 43 exemption of the Freedom of Information Act 2000 (FoIA), as the annual costs requested in question 4 relate to third parties and this information 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 be 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 supplier as it would disclose their pricing, and it 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.

Decision:- It has therefore been decided that releasing the information under the FoIA, to which the UHB is subject, will give an unfair advantage to the supplier's 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.

The UHB considers that the public interest in withholding the annual costs for its job planning supplier, Allocate, is greater than the interests in disclosing it.

1. Hywel Dda University Health Board (UHB) confirms that it does not use job planning software for Allied Health Professionals (AHP).
2. The UHB confirms that it uses Allocate e-job plan software for medics' job planning.
3. Not applicable.
4. Section 43 exemption applied.
5. Not applicable.
6. The UHB confirms that the end date of its current contract with Allocate for its e-job plan software is 30 December 2025.