

Dear Requestor

RE: Freedom of Information Request

With reference to your request for information I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 that we do hold the information that you have requested. A response to each part of your request is below.

In the request you asked:

I am writing to you under the Freedom of Information Act 2000 to request information predominantly on outsourced services and the technology systems you use.

1. What was the annual turnover and revenue (£m) of your organisation in 19 / 20 and 20 / 21
2. How many full time employees make up your organisation's workforce?
3. Do you currently outsource any employment/HR, finance or procurement services and if so which service and to who?
4. Does your organisation currently plan to outsource any corporate services in employment/HR, finance or procurement services in the future? If so, which one?
5. What third-party technologies or suppliers does your organisation use for the following:
 - a. HR (beyond ESR, i.e. Locum's Nest, Allocate, recruitment agency platforms/portals)
 - b. Learning and development (including e-learning portals)
 - c. Finance and accounting services (including your ERP solution)
 - d. Procurement services. (Including inventory and catalogue management)

Please see attached spread sheet for response to your request.

[For question 5c please see the below response.](#)

It is our opinion that the information sought regarding third-party technologies or suppliers used by the CCG for finance and account services is exempt under section 31 (1) (a) of the FOI Act. This exempts information if its disclosure is likely to prejudice the prevention or detection of crime. Release of this information would make the CCG more vulnerable to crime; namely, a malicious attack on the CCGs computer systems.

Section 31: Law Enforcement

Section 31 (1) (a) exempts information if its disclosure is likely to prejudice the prevention or detection of crime.

Section 31 is a qualified exemption and we are required to conduct a public interest test when applying any qualified exemption. This means that after it has been decided that the exemption is engaged, the public interest in releasing the information must be considered. If the public interest in disclosing the information outweighs the public interest in withholding it then the exemption does not apply and the information must be released. In the FOI Act there is a presumption that information should be released unless there are compelling reasons to withhold it.

Public Interest Test

The public interest test has now been concluded and the balance of the public interest has been found to fall in favour of withholding information covered by the section 31(1) (a) exemption. Considerations in favour of the release of the information

included the principle that there is a public interest in transparency and accountability in disclosing information about our contracts.

However, release of this information would make the CCG more vulnerable to crime; namely, a malicious attack on the CCG computer systems. As such release of this information would be seen to prejudice the prevention or detection of crime by making the CCG computer systems more vulnerable to hacking therefore facilitating the possibility of a criminal offence being carried out. There is an overwhelming public interest in keeping public sector computer systems secure which would be served by non-disclosure. This would outweigh any benefits of release.

Balance Test

It is important to bear in mind that any disclosure under the FOI Act is a disclosure to the public at large and not just to the applicant. It is recognised that there is a general public interest in the CCG being open and transparent. However, it is not believed that this public interest is served in disclosure for damage that would be caused as outlined above.

It has therefore been decided that the balance of the public interest lies clearly in favour of withholding the information on this occasion.

Further guidance on section 31 can be found here:

<https://ico.org.uk/media/for-organisations/documents/1207/law-enforcement-foi-section-31.pdf>

If you are unhappy with the way in which your request has been handled, NHS Nottingham and Nottinghamshire Clinical Commissioning Group have an internal review procedure through which you can raise any concerns you might have. Further details of this procedure can be obtained by contacting Lucy Branson, Associate Director of Governance via lucy.branson@nhs.net or by writing to NHS Nottingham and Nottinghamshire CCG, Sir John Robinson House, Sir John Robinson Way, Arnold, Nottingham, NG5 6DA.

If you remain dissatisfied with the outcome of the internal review, you can apply to the Information Commissioner's Office, who will consider whether the organisation has complied with its obligations under the Act, and can require the organisation to remedy any problems. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by NHS Nottingham and Nottinghamshire Clinical Commissioning Group. You can find out more about how to do this, and about the Act in general, on the Information Commissioner's Office website at: <https://ico.org.uk/for-the-public/>

Complaints to the Information Commissioner's Office should be sent to: FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone 0303 123 1113 or report a concern: <https://ico.org.uk/concerns/>

Yours sincerely

Freedom of Information Officer on behalf of *NHS Nottingham and Nottinghamshire Clinical Commissioning Group*.

notts.foi@nhs.net

All information we have provided is subject to the provisions of the Re-use of Public Sector Information Regulations 2015. Accordingly, if the information has been made available for re-use under the [Open Government Licence](#) (OGL) a request to re-use is not required, but the license conditions must be met. You must not re-use any previously unreleased information without having the consent of NHS Nottingham and Nottinghamshire Clinical Commissioning Group. Should you wish to re-use previously unreleased information then you must make your request in writing (email will suffice) to the FOI Lead via notts.foi@nhs.net. All requests for re-use will be responded to within 20 working days of receipt.