

**Request for information under the Freedom of Information Act – 2023.129  
Released – 20 July 2023**

Thank you for your email received 10 July 2023 requesting information regarding enterprise application.

Please find detailed below a summary of your request, together with our response.

**Summary of your original request:**

**The information I'm requesting is regarding the software contracts that the organisation uses, for the following fields.**

**Primary Customer Relationship Management Solution (CRM):**

The Trust does not have a primary CRM system; therefore we do not hold information for this part of your request.

**Primary Human Resources (HR) and Payroll Software Solution:**

**For example, iTrent, ResourceLink, HealthRoster; software of this nature.**

**1. Name of Supplier: Can you please provide me with the software provider for each contract?**

Allocate/RL Datix

Locums Nest

**2. The brand of the software: Can you please provide me with the actual name of the software. Please do not provide me with the supplier name again please provide me with the actual software name.**

HealthRoster Optima

SafeCare

Bankstaff

Employee Online (EOL)

Locums Nest (is the name of the software)

**3. Description of the contract: Can you please provide me with detailed information about this contract and please state if upgrade, maintenance and support is included.**

Allocate/RL Datix - within the contract it applies to upgrades, maintenance and support including Out of Hours.

**Please also list the software modules included in these contracts.**

**4. Number of Users/Licenses: What is the total number of user/licenses for this contract?**

Allocate/RL Datix – 6,000 Licenses

Locums Nest – 0 licenses/0 users

Chair John Goulston Chief Executive Mairead McCormick

Trust HQ Trinity House, 110-120 Upper Pemberton, Eureka Park, Ashford, Kent TN25 4AZ

**5. Annual Spend: What is the annual average spend for each contract?**

We are not able to provide details of the value of the contracts as if we were to release this information it would likely prejudice the commercial interests of the Trust and that of the providers of these services. Therefore this information is exempt from disclosure by virtue of section 43(2) of the Freedom of Information Act 2000, Commercial Interests.

Section 43(2) is a qualified and prejudice-based exemption which requires that I provide evidence of harm in disclosure and a public interest test. I have included the relevant part of this exemption and the evidence of harm and public interest test below.

**Section 43 – Commercial Interests**

*(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).*

**Evidence of Harm**

Disclosure of the information requested would be likely to damage the commercial interests of both the Trust and providers of these services as it would assist competitors by providing information that may assist them during the tender process for the provision of these services.

**Public Interest Test**

**Factors Favouring Disclosure**

The disclosure of the information requested would contribute towards the aims of openness and accountability which the Freedom of Information Act promotes. It would also show that there is transparency in the use of public funds and that public money is being used effectively.

**Factors Favouring Non-Disclosure**

To release information relating to the existing service provider would weaken both their position and that of the Trust in a competitive environment by revealing market-sensitive information or information of potential usefulness to competitors.

The provision of the information requested would be likely to prejudice the commercial interests of the Trust during a tendering process which would result in the less effective use of public money.

**Balancing Test**

Whilst we note that the provision of the information requested would ensure that we remain open and accountable, this is outweighed by the need for the Kent Community Health NHS Foundation Trust to remain competitive with regards to tenders and commercial activity and to protect the commercial interests of the Trust and of those who provide services to the Trust.

I have therefore determined that the public interest in maintaining the exemption at section 43(2) outweighs that in disclosure and, in accordance with section 17(1) of the Act, this information is exempt.

**6. Contract Duration: What is the duration of the contract please include any available extensions within the contract.**

Allocate/RL Datix - 3 years

Locums Nest – no fixed contract dates payment is made for each successful booking.

**7. Contract Start Date: What is the start date of this contract? Please include month and year of the contract. DD-MM-YY or MM-YY.**

01/02/2021

**8. Contract Expiry: What is the expiry date of this contract? Please include month and year of the contract. DD-MM-YY or MM-YY.**

31/01/2024

**9. Contract Review Date: What is the review date of this contract? Please include month and year of the contract. If this cannot be provide please provide me estimates of when the contract is likely to be reviewed. DD-MM-YY or MM-YY.**

07-23

**10. Contact Details: I require the full contact details of the person within the organisation responsible for this particular software contract (name, job title, email, contact number).**

it is Trust policy to not release names and contact details of staff below Executive Director Level as this constitutes personal information which is exempt under Section 40(2) in conjunction with Section 40(3A)(a) of the Freedom of Information Act 2000 which relates to 'Personal Information'.

An excerpt of the relevant Freedom of Information legislation can be found below:

**Section 40 – Personal information**

(2) Any information to which a request for information relates is also exempt information if—

(a) it constitutes personal data which does not fall within subsection (1), and

(b) either the first, second or third condition below is satisfied.

(3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act

(a) would contravene any of the data protection principles, or

(b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.

However, we can confirm that the Executive Director with overall responsibility for this is Victoria Robison-Collins – Chief People Officer, [victoria.robison-collins@nhs.net](mailto:victoria.robison-collins@nhs.net)