

Freedom of Information Request

Ref: UHB 18-352

Date 21 June 2018

By Email

Dear Sir/Madam,

Thank you for your request for information under the Freedom of Information Act 2000. The Trusts response is as follows:

**1. Which Web Filtering Solution do you currently have implemented at the trust?**

We are unable to provide this information as under **Section 31(1)(a)** of the Freedom of Information Act, we are required to judge as to whether the disclosure of the information would, or would be likely to, prejudice the prevention or detection of crime. Under guidance issued by the Information Commissioner states that this exemption applies if disclosure of the withheld information would, or would be likely to prejudice the prevention of criminal acts in relation to the Trust's computer systems and information, such as hacking, theft of data, misuse of confidential data or the disruption of the Trust's operations.

**2. Who was this purchased through?**

MTI

**3. How many users does your web filter support?**

Approx. 9000

**4. How much is the current contract value and how many years does this cover?**

We are unable to provide the contract value as this is commercially sensitive information and will not be shared at an organisational level. **Section 43** of the FOI Act provides that information is exempt if its disclosure would, or would be likely to prejudice the commercial interests of any person. Therefore; we are withholding this information at this time.

Please note the contract is renewed annually.

**5. When is the Web Filtering contract due to expire?**

Please note the Web Filtering contract is renewed annually.

## 6. Who is currently in charge of evaluating and renewing web filtering solutions?

Digital Risk Manager

### **Public Interest Test:**

When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors:

### **Section 31(1) (a) – Prejudice to law enforcement**

#### *Public interest arguments in favour of disclosing the withheld information.*

The Trust is aware of the presumption of openness and transparency running through the Freedom of Information Act, and that public authorities should be accountable to the public for their actions and decision-making processes, as public funds are involved.

The Trust also considers that there is a public interest in knowing that it manages data responsibly and securely.

#### *Public interest factors in favour of maintaining the exemption*

The Trust believes that the public interest arguments in favour of withholding the small amount of information are compelling. There is a strong public interest in the highest standards of information compliance being maintained in all public sector organisations; and in particular the secure maintenance of personal and other sensitive data. The Trust considers that disclosure of the information would be likely to prejudice the maintenance of its IT security is clearly contrary to the public interest.

#### *Balance of the public interest arguments*

The Trust considers that there is a strong public interest in openness and transparency of public authorities. There would be a significant public interest in knowing that the Trust manages data responsibly and securely, particularly since it holds a great deal of confidential and valuable data.

The Trust does not believe that there is any compelling public interest in knowing the name of the web filtering solution as this is a potentially vulnerable software application, which would outweigh the public interest in the Trust's secure maintenance of sensitive and confidential data. University Hospitals Bristol NHS Trust accepts that there is a strong public interest in maintaining the security of confidential data and not increasing the vulnerability of the security systems to criminal activity.

The Trust has carefully considered all public interest arguments both in favour of disclosure and of maintaining the exemption. We have considered that it is vitally important to protect the security of our IT systems against criminal or malicious attack and that there is an extremely

compelling interest in doing so. We do not believe that this is outweighed by the arguments in favour of openness and transparency in public sector organisations.

The Trust considers that the public interest in maintaining the exemption in all of the circumstances of this case outweighs that in disclosure of the withheld information. Under guidance from the Freedom of Information Act, the Trust has therefore decided to withhold the requested information.

### **Exemption 43 – Commercial Interests**

#### *Public interest considerations favouring disclosure*

There is a public interest in disclosing information to facilitate accountability and transparency in the spending of public money.

There is a public interest in ensuring that companies are able to compete fairly.

There is also a public interest in ensuring that this is competition for public sector contracts.

#### *Public interest considerations favouring withholding the information*

Against disclosure is that the release of the requested information is commercially sensitive in that disclosing this information would reduce the number of companies willing to do business with the public sector, leading to reduced competition and increased costs.

Against disclosure is the public interest is the potential that by releasing the requested information would or would prejudice someone's commercial interests i.e. damage a company's reputation or the confidence that customers, suppliers or investors may have in a company.

#### *Balance of the public interest arguments*

We have considered whether it would be in the public interest for us to provide you with the requested information, despite the exemption being applicable. In this case, I have concluded that the public interest favours withholding the information. We reached the view that, on balance, the public interest is better served by withholding this information under Sections 43 of the Freedom of Information Act at this time.

This concludes our response. We trust that you find this helpful, but please do not hesitate to contact us directly if we can be of any further assistance.

If, after that, you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Trust Secretary  
University Hospitals Bristol NHS Foundation Trust  
Trust Headquarters  
Marlborough Street  
Bristol  
BS1 3NU

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

To view the Freedom of Information Act in full please click [here](#).

Yours sincerely,

**FOI Administrator**