

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** FOI-16-1406 - HR IT Systems  
**Date:** 22 November 2016 15:32:44  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)  
[FOI 16-1406 - HR structure.xls](#)

---

Dear [REDACTED],

Thank you for your information request of 28 October 2016. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**1. I would like to make a request under the Freedom of Information Act for a departmental structure of the HR and Payroll department within the council.**

Please see attached.

**2. Please can you also advise which Recruitment/HR/Payroll/Finance system you use?**

PSenterprise (Payroll), Talentlink (Recruitment)

**3. When do these system contracts expire?**

31/01/2020 PSE  
ongoing Talentlink

**4. Do you have online Performance Management and Expense Claims? If so, what are they? when do these contracts expire?**

We have created a bespoke online portal, developed and maintained in house which is contract and licence free.

**5. How many staff do you employ?**

8,609

**6. What yearly support and maintenance costs are you paying for these HR & Payroll systems?**

ACC is unable to provide you with information on **yearly support and maintenance costs** as it is exempt from disclosure. In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing your request under the terms of Section 33(1)(b) – Commercial Interests - of the FOISA.

In making this decision ACC considered the following points:

Do commercial interests exist in relation to the information?

Yes, commercial interests exist in the information. The information requested is costs in the context of commercial trading activity. The pricing is current and is contained in a contract that was concluded pursuant to a competitive tender exercise.

Whose commercial interests will be damaged by the release of the information?

The pricing information engages the commercial interests of both the Council and our suppliers.

What is the nature of those interests?

The contract pricing discloses basic detailed unit prices ACC are willing to pay for the services

and the prices our suppliers are prepared to provide them at. The pricing is current and that pricing will be a good indicator of what might be considered as a yardstick for a winning bid. The information will also be highly useful to competitors in looking to target other customers using this pricing information to help them undercut pricing with them too.

Please describe how disclosure of the requested information would cause the level of harm required for this exemption? In what way will this harm occur?

If the information is disclosed, the ability of the Council to drive out value for money in future tender exercises will be substantially prejudiced (because potential tenderers will price to beat the incumbent's pricing and not necessarily with their lowest bid). Additionally, our suppliers commercial interests will be damaged as competitors will know their current pricing, so there will not be a level playing field on any re-tender. Additionally, if our suppliers pricing with the Council is disclosed, their other customers may learn of it (as the information will enter the public domain) and they will not be able to maintain their prices with them if they know the prices agreed with the Council

What evidence can you provide for this harm?

The cost information being sought is very detailed and will be used in financial modelling and is designed to understand the pricing of services in order to confer advantage on the person seeking the information. The pricing is current – and not historic – so it's disclosure will be extremely harmful to the commercial interests of both the Council and our suppliers.

How likely is it that this harm will happen?

Very likely. The Council's ability to conduct a blind re-tender which offers the optimal outcome in terms of competitive outcome will be irrevocably impaired and our suppliers ability to compete on a level playing field will also be severely hampered because details of core unit pricing will be in the public domain and known by competitors.

ACC recognises that there is a public interest in being open and transparent about its negotiations with third parties. However, ACC is of the view that in this case, the public interest lies in withholding the information as disclosure would prejudice ACC's commercial relationships and future contractual negotiations with third parties and after considering all the circumstances of the case, the public interest is best met by applying Section 33(1)(b) at this time.

**7. Please can you confirm Names, Email addresses and where possible Telephone numbers of senior management within the directorate.**

Ewan Sutherland, Head of HR, esutherland@aberdeencity.gov.uk, 01224 522355

ACC is unable to provide you with information on **Names, Email addresses and where possible Telephone numbers of managers below Head of Service level** as it is excepted from disclosure. In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing your request under the terms of Section 38(1)(b) in conjunction with 38(2)(a)(i) – Personal Information - of the FOISA.

In making this decision ACC considered the following points:

ACC is of the opinion that Section 38(1)(b) applies to the information specified above as the information in question is personal information relating to living individuals, and the applicant is

not the data subject.

ACC is of the opinion that Section 38(2)(a)(i) applies, as ACC considers that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). Officers below the level of Head of Service would not expect ACC to release this information about them into the public domain under the FOISA.

We hope this helps with your request.

Yours sincerely,

Grant Webster  
Information Compliance Officer

### **INFORMATION ABOUT THE HANDLING OF YOUR REQUEST**

ACC handled your request for information in accordance with the provisions of the Freedom of Information (Scotland) Act 2002. Please refer to the attached PDF for more information about your rights under FOISA.

Information Compliance Team  
Communications and Promotion  
Office of Chief Executive  
Aberdeen City Council  
Room 1-24  
Town House  
Broad Street  
ABERDEEN AB10 1AQ

[foienquiries@aberdeencity.gov.uk](mailto:foienquiries@aberdeencity.gov.uk)

01224 523827/523602

Tel 03000 200 292

\*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.  
Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

We wish to advise you that the information which was released with this response is too large to be uploaded to our disclosure log. If you are interested in viewing the attachment, please contact us at [foienquiries@aberdeencity.gov.uk](mailto:foienquiries@aberdeencity.gov.uk), quoting the appropriate reference number, and we will provide you with a copy.