

Chief Executive
2 Franklin Street
BELFAST
BT2 8DQ

Tel: 028 9536 3863
Email: FOI.BSO@hscni.net

3rd April 2023

BY EMAIL

Our Ref: FOI 1924

Dear 

Your request for information was received on 20th March 2023 and was dealt with under the terms of the Freedom of Information Act 2000. Please be advised that the Business Services Organisation (BSO) has now completed its search for the information you requested with regards to the organisational use of Palantir software.

I should advise that this information has been considered exempt from disclosure under Section 31 of the Freedom of Information Act 2000 ('Law Enforcement').

Section 31 is also a qualified exemption which means that the public interest test (PIT) must be considered. This involves weighing the harm resulting from possible disclosure against the likely benefit to the wider public. A copy of PIT is attached for your reference.

In considering the PIT, I acknowledge that there may be a public interest for disclosure in line with HSC's requirement to be open and transparent in its use of public monies and provision of public services. However, while I make no suggestion that there is any malicious intent on your part; provision (and therefore publication) would be capable of making Health and Social Care, vulnerable to malicious attack. I therefore consider that the public interest in withholding this information outweighs the public interest in supplying it.

I hope that the information provided assists you. If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter, as the BSO, along with all other public authorities are not obliged to accept internal review requests after this period has lapsed.



In the event that you require a review to be undertaken, you can do so by writing to

Information Governance Manager,
2 Franklin Street,
Belfast,
BT2 8DQ

If, following an internal review, carried out by an independent decision-making panel, you remain dissatisfied in any way with the handling of the request, you may make a complaint under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the BSO has complied with the terms of the Freedom of Information Act.

You can contact Information Commissioner at:

Website: www.ico.org.uk
Phone: 0303 123 1113
Email: casework@ico.org.uk
Post: Information Commissioner's Office
3rd Floor, 14 Cromac Place
Belfast
BT7 2JB

In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out. However, the Commissioner has the option to investigate the matter at his discretion.

Yours Sincerely,



Karen Bailey
Chief Executive

Enc

Public Interest Test (PIT)

Exemption claimed in respect of Section 31 of the Freedom of Information Act 2000 ('Law Enforcement') for disclosure of details on contracts registers

In considering this PIT, the following have been taken into account:

- the public interest in issues of accountability and transparency and in scrutinising how BSO's affairs are conducted
- the public interest in ensuring that BSO is able to protect its systems from cyber-attacks which could damage security
- the public interest in ensuring that BSO can proactively manage the risks around cyber security, for the wellbeing and safety of all its stakeholders

In favour of disclosure of information	In favour of not disclosing information
<p>Openness and transparency: it is recognised that releasing this information would provide the public with assurance that we are:</p> <ul style="list-style-type: none">• protecting our technologies;• spending public money responsibly, especially where this relates to the provision of public services	<p>BSO hosts a vast range of software, systems and data on behalf of the wider Health and Social Care (HSC) within Northern Ireland.</p> <p>Release of this information would make BSO, and by association the wider HSC more vulnerable to crime (namely a malicious attack on BSO's network). As such release of this information would be seen to prejudice the prevention or detection of crime by making BSO more vulnerable to hacking at a given time.</p>
	<p>Under data protection legislation, BSO has a legal obligation to process personal data in a manner that ensures its appropriate security using appropriate technical or organisational measures. The release of this information is therefore a reasonable threat to the security and integrity of confidential personal data held on our systems.</p>
	<p>BSO and the wider HSC operate the majority of their services with a high dependency on IT. Many services operate almost exclusively via information held within our network infrastructure. Any disruption of BSO's network infrastructure, even for a short period would be likely to severely restrict our ability to carry out statutory functions across the wider HSC network.</p>

	<p>There is therefore an overwhelming public interest in keeping BSO's systems secure which would be served by non-disclosure.</p> <p>It has therefore been decided that the balance of the public interest lies clearly in favour of withholding the material on this occasion.</p>
--	--