

Information Requested

You have requested the following information;

'I would like to make a Freedom Of Information request for copies of all communication between the Welsh Government, Public Health Wales and the research firm name Social Change UK in regard to the recent North Wales study into teenage smoking and ecigarettes. I wish to understand the remit under which this particular study was commissioned.'

Information to release

I can confirm that Public Health Wales does hold information which is applicable to the request that you have made. Information that can be released is attached as a Microsoft Outlook PST file, can you please confirm that you are able to open an Outlook PST file? Please note this file is approximately 44 Mbytes in size and consists of over 160 emails and numerous attachments. Transfer of the information will be via a secure file server. Tomorrow my IT department will place the file the secure file server folder and the system will send you the link to this folder. This folder will be available for only a week and you will need to copy it to your own system. If you have any difficulties in opening the file, please contact me.

I must point out that there is limited contact with the Welsh Government on this topic, purely due to the fact that from 2013/14 onwards this money was built into Public Health Wales core funding, and WG had *no* involvement at all in how it was spent locally. I have attached the funding letter from Public Health Wales to Directors of Public Health for your further information.

Information to withhold

Public Health Wales has decided that the financial information provided as part of the tender for the work, cannot be disclosed for reasons which are provided below.

The information that we have withheld falls under the following exemptions:

Section 43(2) ("Commercial Interests")

Certain section of documents supplied to Public Health Wales by Social Change Ltd as part of the tender process and as part of their Project Initiation Document (PID) have been redacted.

This material has been deemed to be exempt from disclosure under section 43(2) of the FOIA because disclosure would be likely to prejudice the commercial interest of Social Change Ltd. In applying the exemption under section 43(2) we have had to balance the public interest in withholding the information against the public interest in disclosure.

Section 43 (2) exemption

Full text: section 43 of the Freedom of Information Act (commercial interests).

1. Information is exempt information if it constitutes a trade secret
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).
3. The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice the interests mentioned in subsection (2).

Public interest test factors for disclosure

The disclosure of financial information with regard to the commissioning of the report on teenage smoking will be of interest to groups of people mentioned in the report and also other Social media / Communications companies.

Public interest test factors against disclosure

Certain information has been withheld from disclosure as it could be used by competing companies to proactively target access to commercially sensitive information. The release of this information would enable competitors to undercut in future specific advertising strategies, which would be of commercial detriment to Social Change Ltd.

The disclosure of the Commercially Sensitive Information contained has the potential to infringe the Public Health Wales commercial interests by undermining the future willingness of marketing firms, to provide tender information to Public Health Wales on a voluntary basis, thus impeding the Public Health Wales ability to effectively 'Protect the Public Health of the Population.

Please note, the information we have supplied to you is copyrighted to Public Health Wales NHS Trust and continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including any non-commercial research you are undertaking and for the purposes of news reporting.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of the decision, you should write to the Corporate Complaints Manager, Public Health Wales NHS Trust, 14 Cathedral Road, Cardiff, [CF11 9LJ](#)

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Trust. The Information Commissioner can be contacted at:

Information Commissioner for Wales

2nd Floor
Churchill House
Churchill Way
Cardiff
CF10 2HH
Telephone: 029 2067 8400
Email: wales@ico.org.uk