



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref ATISN 10836

15 August 2017

Dear ,

Request for Information – ATISN 11414

I wrote to you on 28 July regarding your request for information. Thank you for your response of 3 August. You asked for:

1. A copy of our contract with a third party supplier, Snowdrop Systems.
2. A copy of a paper submitted to the Cabinet Secretary for Economy and Infrastructure outlining options on the delivery of product search and retrieval on visitwales.com and other sites.
3. Papers arising from discussions with sectoral groups and the Tourism Advisory Board regarding options on the delivery of product search and retrieval on visitwales.com and other sites.

I confirm we hold some information captured by your request. For your first question, our 'contract' with Snowdrop Systems is in three parts, namely a Departure Request, a Functionality Brief and a Statement of Work. The Departure Request and Functionality Brief can be found at Annex 1 of this letter. I have concluded that some of the information within the Departure Request is withheld under Section 40, personal data and Section 43(2), prejudice to commercial interests, of the Freedom of Information Act 2000. The Statement of Work is in the form of a presentation document consisting of 57 slides. The presentation document is attached separately to this letter. I have concluded, however, that slides 41 to 45 of the presentation are exempt from disclosure under Section 43(2) of the Freedom of Information Act 2000, prejudice to commercial interests.



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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding .

We do not hold a copy of the paper you have described in your second question. Whilst a paper will likely be submitted at the appropriate time, no such paper has yet been prepared.

I have concluded that the information you have requested for your third question is exempt from disclosure under Section 35 of the Freedom of Information Act 2000, policy in development.

Full reasoning for applying all of the above exemptions is given at Annex 2.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or FreedomOfInformationOfficer@wales.gsi.gov.uk. Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

I will close by addressing your complaint regarding the timeliness of your request. As indicated in our Practical Guide to Freedom of Information Requests, available at <http://gov.wales/docs/decisions/General/141110Folrequestguidanceen.pdf>, we are required under the Freedom of Information Act 2000 to respond to requests for information within a statutory 20 working day timeline. On this occasion, I regret that we have breached this statutory timeline and for this I apologise.

Yours sincerely

Welsh Government
Request Form for Approval to Depart from Normal Contract Procedures

To: [WITHHELD S40] (Strategic Procurement Lead, ES&NR)

From: [WITHHELD S40] (Content Integration Manager, Marketing, ES&T)

CC: Economy, Skills and Natural Resources Departures Mailbox
[WITHHELD S40] (Deputy Director, Marketing),

1. Confirm that you have followed your Department Delegations process for Departure:
If you are unsure what this process is, you will need to contact your Ops team

Yes

2. Type of Departure 1b Single Tender Action [WITHHELD S43]

3. Is your request retrospective No

4. Issue

This request relates to a single tender action to award a contract valued [WITHHELD S43] to a single supplier, Snowdrop Solutions (A UK & Spain based software development team who act as Google's professional services team). The project involves the design, build, testing and implementation of a custom dynamic content Google Map for use on visitwales.com to directly support the 2016 campaign 'Year of Adventure' and tourism marketing campaigns from 2016 onwards, the total cost of which will be £[WITHHELD S43]. A breakdown of this cost is provided below:

- £[WITHHELD S43] for the licencing of Google's Map and Places API's for 12 months. These data feeds enable the usage of Google's mapping platform and the data layer for points of interest.
- £[WITHHELD S43] for the licencing of Snowdrop Solutions' Map Engine for 12 months. This tool enables the integration on content data such as Google Places and the Visit Wales Tourism product database onto a custom Google Map as well as giving Visit Wales the ability to add geo-specific content to a map layer such as videos and photos.
- £[WITHHELD S43] for 13 weeks of Snowdrop Solutions' development services to define and deliver a customised mapping solution for Visit Wales.
- £[WITHHELD S43] for 12 months technical support from Snowdrop Solutions.

You are asked to approve a single tender action to appoint Snowdrop Solutions to deliver the above requirements on the following basis:

1. Limited number of operators in the marketplace:

To develop a bespoke Google Map to the specification needed for this project, we need to work with a Google Maps Premier Partner. Snowdrop Solutions directly match this criteria. They are the only Premier Partner in the UK, are based in Google's London offices, work directly with the Google Maps team and have the relevant and required technical and creative ability to develop and deliver this project. When we initially approached Google to enquire about working with them on a map based project they directly recommended Snowdrop Solutions.

2. Value for money:

Officials are confident that the associated costs offer good value for money for the creation of a custom, fit for purpose themed & updatable content Google Map as well as the inclusions of licencing

costs and technical support. The Google Maps team have also confirmed additional marketing support and promotion from Google during 2016 to promote the Visit Wales Map Project at Google industry events and will also draft a whitepaper/case study on the project. Google have also granted access to the Trusted Tester programme allowing staff to trial new Google product developments that are relevant to tourism such as Google Tango [A spatially aware tablet device] and Google Cardboard [A low cost Virtual Reality headset].

3. Timescale for delivery:

The need to quickly develop and deliver a custom dynamic content Google Map for use during the beginning of the 'Year of Adventure' 2016 campaign which launches in January 2016. The importance of the custom dynamic content Google Map for the 2016 campaign 'Year of Adventure' and tourism marketing campaigns from 2016 onwards is outlined further under Section 5.

5. Background

Potential and returning visitors to visitwales.com require inspirational and informative information to aid their holiday planning and booking process. The current visitwales.com website was launched in July 2013.

- Since launch visitwales.com has received over 4.8 million visitors. It is essential to ensure the website maintains its stability and cutting edge appeal, in light of the financial support it gives to over 12,500 providers throughout Wales.
- If Wales is to continue being seen as a World Class destination for holidays and to galvanize its place as the home of adventure, visitwales.com needs to continue to rank highly in Google searches for short breaks, events, attractions and accommodation in Wales, and start ranking for adventure related searches, as it is literally the potential visitor's first port of call for information on Holidays and Adventure in Wales. To do this relevant content including the custom Google Map needs to be used.
- Visit Wales has increased the exposure of the visitwales.com website by publishing content on a number of social media channels including Twitter, Facebook and Instagram, this helps to encourage growth and awareness. These channels have over half a million active followers and fans. The custom Google Map is a very relevant and shareable piece of content and will draw attention and generate click through to visitwales.com
- All of Visit Wales' campaign assets [brochures, tv adverts, emails, direct mail etc.] features visitwales.com and increased activity during 2016 for the 'Year of Adventure' campaign will focus on getting involved or find out more at visitwales.com.
- Users of tourism/travel websites expect interactive maps to be used show content and product and also to aid location awareness, Google Maps continue to be seen as the industry standard for internet mapping technology. Basic custom Google Maps are already used on visitwales.com to display static listed content [E.g. 10 Top Castles in Wales] but professional development is needed to create custom mapping experiences that will enable users to effectively engage and discover Welsh tourism products in a way that is consistent to how other travel brands are currently using mapping technologies on their website to great success.

6. Contractual Implications

Only complete if your request relates to an existing contract.

Contract Number/s [Click here to enter text.](#)

Contract start date: [Click here to enter text.](#)

Contract end date: [Click here to enter text.](#)

Details of the tendering process (including whether or not this was an OJEU procurement):

7. Previous Departure Information – <i>please provide information for all relevant Departures</i> Does this relate to a previous Departure Choose an item. If Yes, please provide: Previous (most recent) Departure Number: Click here to enter text. Previous (most recent) Departure start date: Click here to enter text. Previous (most recent) Departure end date: Click here to enter text. Details of all other previous requests (attach request and approval):
8. Evaluation Process <i>please attach evaluation report and provide details of evaluation process:</i> <i>(Only complete if your request relates to a contract currently being tendered, including Single Tenders)</i>

9. Cost/ Value <i>Please complete:</i> <table border="1"> <tr> <td>Original contract value:</td> <td>£</td> </tr> <tr> <td>Total value of all previous departures:</td> <td>£</td> </tr> <tr> <td>Value of this request (if approved):</td> <td>£[WITHHELD S43]</td> </tr> <tr> <td>Total</td> <td>£[WITHHELD S43]</td> </tr> </table> Please provide the current total spend on the Contract: Click here to enter text. <i>Provide details of any comparison on a like for like basis, or obtained as part of the tender process</i>	Original contract value:	£	Total value of all previous departures:	£	Value of this request (if approved):	£[WITHHELD S43]	Total	£[WITHHELD S43]
Original contract value:	£							
Total value of all previous departures:	£							
Value of this request (if approved):	£[WITHHELD S43]							
Total	£[WITHHELD S43]							

10. Value for Money Consideration Please see point 2 of Section 4 above. If the Google Maps Project is not delivered an alternate mechanism will need to be created to display custom geo-specific content for the ‘Year of Adventure’ campaign and the overarching tourism marketing campaigns for 2016 onwards. This replacement mechanism will need to be fit for purpose to receive and fulfil all web traffic generated by Visit Wales’ marketing campaigns meeting Campaign and Marketing KPIs and Targets. Visit Wales do not have the in-house ability or externally contracted agencies to create an advanced custom map asset or other suitable mechanic to the quality demanded by the marketing activity that is planned.

11. Funding & Budget Approval <i>(please attach funding approval email)</i> <i>Provide confirmation that funding is available, and budget holder approval has been sought <u>and given</u></i> The budget holder has confirmed that funding is available. A copy of the associated email is attached to this Departure request. This project is covered in a MA to be submitted upon Departure Approval

12. WEFO Approval

Is this Contract WEFO Funded? – No

If yes, you must provide a link to evidence from WEFO that they are content with the Departure Request.

Note – if you do not have WEFO approval for your Request, funding for this contract may be clawed back in retrospect.

13. Summary

Please provide a summary of your request. This should include any risks that would occur should this request be refused.

You are asked to approve a Single Tender action associated with the appointment of Snowdrop Solutions to develop a custom dynamic content Google Map for use on visitwales.com to directly support the 2016 campaign 'Year of Adventure' and tourism marketing campaigns from 2016 onwards

The risks associated with this request being refused are as follows:

- The 2016 campaign 'Year of Adventure' launches in January and appropriate supporting content is needed on visitwales.com during Q1, if the dynamic content Google Map is not in place, an alternate mechanism to display geo-specific content will have to be created taking further time, to which the campaign might not reach its predicted targets.
- There are only a limited number of developers in the marketplace which meet Google Maps Premier Partner status. Appointing an alternative supplier that is not known to the Welsh Government would present a higher associated risk and take additional time to deliver.
- There would be a risk associated with not being able to deliver the dynamic content Google Map for use at the beginning of the 2016 'Year of Adventure' campaign. The need to conduct an open tender exercise would leave insufficient time for the appointed supplier to deliver the dynamic content Google Map within this timescale. This would reduce the impact of the launch of the campaign.

14. Recommendations

Procurement Risk Review *CPS to complete: [CPS to complete](#)*

CGU Recommendation *[CGU to complete](#)*

Departure Agreed Yes ☐

No ☐

Date [Click here to enter a date.](#)

15. Follow up Action Required [CGU/CPS to complete:](#)

Visit Wales Google Maps Project Functionality Brief

Overview

Visit Wales are working with Snowdrops Solutions and Google Maps for Work on an embeddable custom Google map to display a number of different content types including specific geolocated 'headline' videos and images for our 'Year of' campaigns as well as the ability to toggle the displaying of tourism product [Accommodation, Attractions, Activities and Events] from our database via a Data Feed [API].

Content Display

We will also map suitable content from our website visitwales.com and 3rd party content from other websites. These various content types will each have a specific colour and custom icon. The 'headline' content will be grouped by theme, e.g. Active Adventure will show pins for active adventure across Wales, Family Adventure will show pins for Family suitable Adventure etc.

The map functions will work on Mobile and Tablet [although the user experience may differ due to screen size] It will also be 'location aware' to provide "search nearby" functions to users actually in Wales.

Content Layers

The first content layer users will see is the "Year of Adventure" layer. This will contain our headline images, videos [inc VR 360s] and web links for adventure product. The second will be priority content for campaigns and projects e.g. Roald Dahl, Adventure Ambassadors & Partners, Centres of Excellence etc. Other layers could be lists from visitwales.com or even 3rd party data e.g. Weather, traffic, images from Twitter or Instagram etc. These can be added easily.

Database API and Caching

The API feed will need to be cached daily for performance and user experience purposes. The database contains around 8,000 records. When toggled on, the accommodation, attractions and activities will show on the surrounding map area. We plan to show this product list under the map as well, if possible, to aid the user experience. The map is **not** a replacement for the product search forms on visitwales.com but is an 'alternate route' to finding product. Research shows users expect forms when searching for accommodation & attractions [See forms on TripAdvisor, Expedia, Trivago, Kayak, Booking.com, Hotels.com and Laterooms]

Search Box & Google Places/My Business

We will use a search box that uses Google Maps Auto-complete function for address or point of interest but is restricted to return Wales based recommendations only. We will include products from 'Google Places/My Business' at appropriate zoom levels but cannot include accommodation, attractions or activity providers in the results due to potential Visit Wales grading/accreditation issues – these will be supplied via the cached database. Visit Wales are unable to endorse ungraded accommodation, attractions or activity providers. We will select specific attraction types that we can show via Google Places such as restaurants, bars etc.

Sidebar Boxout

When the user clicks a pin for a product from our database, this will display the properties image and basic information about that product in the sidebar. Eg. Name, Address, phone number, Star rating. Clicking the products name will take you to the products detail page on visitwales.com in a new

tab/window. Each interaction where a user views a result, clicks a link to find out more, visit website or email will be trackable for our measurement.

Boundaries

The map will focus on Wales so we will make England and Ireland a different colour to improve focus on Wales. A grey or other muted colour is suggested. Ideally we will be able to “soft lock” the map over Wales.

Zoom Levels

The initial zoom level will need to show all of Wales, but the user’s first interaction will select and zoom to a closer level to show the specific piece of content and the surrounding area. When the user has selected to show content from the tourism product database this will only show at 6 zoom levels from the closest to ensure performance and usefulness to the user, above this zoom level a message will inform the user to zoom into the map to show product information.

Travel Time

We aim to include the ability for the user to toggle ‘Travel Time’ by road on the map, using a slider to select desired drive time. This will use Google transportation data to layer a gradient over the map showing how long the drive time is up to 2 hours away. This will enable users to see what other tourism product is accessible nearby. This is a new experimental feature so will be developed once the other functionality is in place.

Branding Guidance

Visit Wales will provide a set of brand guidelines and the associated style guide for theming the map.

Google Marketing Support

Snowdrop and Google will provide additional marketing support including:

- Draft Case Study on new rollout for promotion on Google Maps website
- Enrol Visit Wales into "innovation" contest with Google
- Share best practices with Visit Wales to boost discovery and SEO
- Promote Visit Wales within Google travel teams (London based)
- Introduce Visit Wales to Google maps consumer team to reuse content (eg street view imagery) on Google maps consumer service.

Training & Handover

Training will include Visit Wales and digital agency Sequence, so we can update the map when needed.

ATISN 11414 – APPLICATION OF EXEMPTIONS

Section 40 – Personal Data

Section 40 of the Freedom of Information Act sets out an exemption from the right to know if the information requested is personal information protected by the Data Protection Act 1998 (DPA). Personal data is defined in Section 1(1) of the DPA as: *“personal data” means data which relates to a living individual who can be identified from those data; or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller”*.

I have concluded that, in this instance, the withheld information within the Departure Request amounts to third party personal data.

Under Section 40(2) of the FOI Act, personal data is exempt from release if disclosure would breach one of the data protection principles. I consider the principle being most relevant in this instance as being the first.

The first data protection principle states:

Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless -

(a) at least one of the conditions in Schedule 2 is met, and (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.

I consider that the withheld information in relation to names and contact details falls within the description of personal data as defined by the DPA and that its disclosure would breach the first data protection principle. The first data protection principle has two components:

1. Personal data shall be processed fairly and lawfully and
2. Personal data shall not be processed unless at least one of the conditions in DPA schedule 2 is met

Guidance from the Information Commissioner’s Office (Personal information (section 40 and regulation 13) v 1.4) states:

If disclosure would not be fair, then the information is exempt from disclosure.

This approach was endorsed by the Court of Appeal in the case of Deborah Clark v the Information Commissioner and East Hertfordshire District Council where it was held:

“The first data protection principle entails a consideration of whether it would be fair to disclose the personal data in all the circumstances. The Commissioner determined that it would not be fair to disclose the requested information and thus the first data protection principle would be breached. There was no need in the present case therefore to consider whether any other Schedule 2 condition or conditions could be

met because even if such conditions could be established, it would still not be possible to disclose the personal data without breaching the DPA” (paragraph 63).

Our analysis of the ICO’s key considerations in assessing ‘fairness’, as set out in the Guidance, are presented below.

The withheld information amounts to the personal data of civil servants who do not have public facing roles and would not expect their names and contact details to be released in this context. There are set procedures in place for members of the public to contact both the Welsh Government using generic contact mechanisms. Having such systems in place means members of the public do not make direct contact with officials and avoids those officials dealing with potentially unnecessary and disruptive correspondence. In this context, the civil servants were liaising with each other as part of their normal course of business. In doing so, there would be no expectation that their personal details would at any time be placed in the public domain.

The Welsh Government does not believe there is any legitimate interest in the public or the requestor having access to this information, and we do not see any legitimate reason why the named officials need to be contacted directly. Because of that, it is believed release of this information would be unfair and so breach the first data protection principle. Despite withholding information of individual officer details, it remains clear which body issued or received the correspondence, which is the primary factor.

For that reason, I believe the information should be withheld under section 40(2) of the Freedom of Information Act. This is an absolute exemption and not subject to the public interest tests.

Section 43 (2) – Commercial Interests

The information caught by this exemption relates to your first question which asks for a copy of our contract with Snowdrop Systems Ltd. for the delivery of product search and retrieval on visitwales.com. Decisions relating to non-disclosure of this information have been taken with due consideration of the exemptions identified under Section 43(2) of the Freedom of Information Act 2000 (FOIA). This exemption states that:

- (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).*

Section 43 is a qualified (public interest tested) exemption. This means that in order to engage it, I must show that the public interest in withholding the information is greater than the public interest in releasing it. I have therefore given consideration to the effects of disclosure of the information to the world at large as the information is made available to anybody and everybody, not just the requestor.

I recognise the general public interest in openness and transparency and releasing the information would help the public gain a better understanding of the decisions made by Government. It is also recognised that there is a public interest in how public money is to be, or has been, used to ensure that Government gets the best value from the public purse.

The Welsh Government has appointed Snowdrop Systems Ltd. to develop search and retrieval software for use on visitwales.com to directly support the 2016 campaign 'Year of Adventure' and tourism marketing campaigns from 2016 onwards. As part of this contract, Snowdrop Systems Ltd. has provided a Statement of Works. Some of this information, contained in pages 41 - 45, relates to project timescales and costs. In addition, costs are quoted in the Departure Notice. To disclose this information would mean disclosing operational data upon which Snowdrop Systems Ltd. relies in order to undertake its business activities in a competitive market. This information is commercially sensitive to Snowdrop Systems Ltd. and disclosure would be likely to cause the company commercial disadvantage when bidding against its competitors for any future similar tenders.

I believe the public interest is satisfied by the amount of information being disclosed in response to this request for information.

I am aware that as a general rule, the sensitivity of information is likely to reduce over time, so that the age of information, or timing of the request may be relevant in determining whether to apply the exemption, or where the public interest may lie. In this case, however, the information captured is very much current information.

In conclusion, I believe that the balance of the public interest therefore falls in favour of withholding the information relating to the Welsh Government's contract with Snowdrop Systems Ltd. for the delivery of product search and retrieval on visitwales.com.

Section 35 (1)(a) – Formulation of Government Policy

The information caught by this exemption relates to your third question regarding options on the delivery of product search and retrieval on visitwales.com and other sites, following discussions by the Tourism Advisory Board and sectoral groups. Decisions relating to non-disclosure of this information have been taken with due consideration of the exemptions identified under sections 35(1)(a) of the Freedom of information Act 2000. This exemption states that:

(1) information held by a government department is exempt information if it relates to (a) the formulation or development of government policy.

Section 35 is a qualified (public interest tested) exemption. This means that in order to engage it, I must show that the public interest in withholding the information is greater than the public interest in releasing it. I have therefore given consideration to the effects of disclosure of the information to the world at large as the information is made available to anybody and everybody, not just the requestor.

I recognise the public has an interest in understanding the Government's considerations with industry experts in the development of policy for tourism in Wales. Policy and priorities in this area continue to be developed to ensure the effective delivery of the Welsh Government's tourism strategy (Partnership for Growth 2013-2020). I recognise that to release information now regarding the delivery of product search and retrieval on visitwales.com and other sites would promote awareness of the issues that Government is currently considering, as well as enhancing transparency in policy making decisions.

The main purpose of the Tourism Advisory Board, through which the industry and key sectoral groups are represented, to provide the Cabinet Secretary for Economy and Infrastructure with expert knowledge and advice on the views and priorities of the tourism industry which in turn will help inform the Welsh Government's future policy development. The Board's overall aim is to ensure that tourism policy and activities support the growth of the tourism sector as set out in the tourism strategy and its contribution to the Welsh economy and job creation.

The Board continuously discusses current and future policy developments. These discussions include policy related strategic discussions around the role of Visit Wales where provision of product search and retrieval on visitwales.com and other sites is concerned.

Good government depends on being able to produce the best advice available and to discuss all the options without fear of premature disclosure. The Advisory Board meet with other industry experts, the business community, partners, key stakeholders and organisations and in doing so, are speaking and debating freely and often exploring a variety of options in a free and frank exchange of ideas and experiences. I am of the opinion that some individuals would be less likely to engage in this way if they thought their thoughts would be revealed, and this would lead to a less strenuous and in depth exploration of options and potentially less robust and effective policies.

I am aware that as a general rule, the sensitivity of information is likely to reduce over time so that the age of the information or timing of the request may be relevant in

determining whether to apply the exemption, or where the public interest may lie. In this case, however, the information captured is very much current information and relates to policy which is still in development.

I believe that the progress reports highlighting information on the work being carried out by the Tourism Advisory Board and Visit Wales, which are published on the tourism pages of the Welsh Government website, go some way to satisfying the public interest in this area. The information can be viewed at:

<http://wales.gov.uk/topics/tourism/abouttourism/stratdevreports/?lang=en>

I believe therefore that the balance of the public interest falls in favour of withholding information relating to the delivery of product search and retrieval on visitwales.com and other sites as this information relates to a policy that is still in development.