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Request for Information Reference: 08.22.60

FOI Direct line: 01325 743700
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Email only

13th September 2022

Dear

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 24th August 2022 in relation to County Durham and Darlington NHS Foundation Trust (the Trust). Your request has been processed under the provisions of the Freedom of Information Act 2000 and I am now able to provide you with a response.

Your request was in relation to Names of general managers and insourcing providers and I am providing the following information in response to your specific questions:

1. The name and email address of:

The General Manager that is responsible for each of the following clinical areas:

- a) **Endoscopy / Gastroenterology** - Jackie Bendle
- b) **Dermatology** - Paul Thurland
- c) **Urology** - Jackie Bendle
- d) **Ophthalmology** - Jackie Bendle
- e) **ENT** - Jackie Bendle
- f) **Surgery** - Jackie Bendle
- g) **Rheumatology** - Mark Herkes
- h) **Neurology** - Mark Jones

2. In the last 12 months, which external Insourcing providers have you used for the above services?

Spire, GT77 and Totallyhealthcare are used by endoscopy.

3. Do you have a contract with an external Insourcing provider of the above services and, if so, which company is the contract with?

Spire, GT77 and Totallyhealthcare are used by endoscopy.

4. If you have a contract with an Insourcing provider for any of the above services, for which service is it? When does it currently expire and when will it be reviewed?

All are due to expire in March 2023

5. If you have a contract with an Insourcing provider for Endoscopy Services, how much are you being charged per fully staffed room, per day?

The Trust are unable to provide the information as requested on the grounds that this information is commercially sensitive and has, therefore, been withheld pursuant to Section 43 of the Act.

Section 43 (2) exempts from disclosure the following:

(2) Information, the disclosure of which would, or would be likely to, prejudice the commercial interests of any person including those of the public authority holding the information.

Our suppliers have made clear representation that pricing for the service is commercially sensitive information, the disclosure of which would be likely to prejudice their commercial interests, as it would provide alternative bidders with an understanding of their costs (which would not be reciprocated) with respect to similar contracts in the NHS, thereby undermining their ability to tender, on fair and equal terms, for such contracts. The Trust considers that there is potential for such harm to arise with reasonable proximity and, therefore, that the exemption under Section 43(2) of the Act is engaged.

The Trust acknowledges the public interest in publication of the information; specifically the interest in transparency with respect to expenditure on services, as a means of assisting the taxpayer in evaluating their value for money. However, there is a competing public interest in preserving fair market competition and the ability of public authorities to obtain value for money when sourcing services. In previous rulings the Information Commissioner has made clear that the Freedom of Information Act is not intended to distort fair market competition. In this case, the Trust therefore considers that the public interest in preserving fair competition outweighs the general public interest in transparency and is therefore applying the exemption under Section 43(2).

6. If you have a contract with an Insourcing provider for Endoscopy Services, what days of the week do they operate and how many rooms do they staff?

They operate on an ad-hoc basis when required and staff 1 room.

7. What has been the spend by the Trust/Health Board in the last 12 months on Insourced Endoscopy Services?

£1,476,656 for 2021/22.

8. Does the Trust/Health Board currently require insourced services (Full teams or Consultant / Nursing only) for any of the following clinical areas:

- a) Endoscopy / Gastroenterology - Yes
- b) Dermatology - No
- c) Urology - No
- d) Ophthalmology - No
- e) ENT - No
- f) Surgery - No
- g) Rheumatology - No
- h) Neurology - No

9. Does the Trust/Health Board currently require specific insourced BCS (Bowel Cancer Screening) Services?

No

10. Does the Trust/Health Board currently require additional Endoscopy capacity (to purchase or rent) via a suitable external premises or JAG accredited Mobile / Modular Endoscopy Unit?

No

11. Does the Trust/Health Board wish to discuss a collaboration in respect of the construction of a new Endoscopy facility with Decontamination?

No

In line with the Information Commissioner's directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log on the Trust's website. However please be assured that we anonymise all responses prior to adding them to the disclosure log.

I hope that this response has provided you with the information you had requested. If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me by telephone or in writing. If however, you are dissatisfied with the way in which your request has been handled and would like an internal review, you will need to contact me in writing at the above address or via cdda-tr.cddftfoi@nhs.

If you remain dissatisfied with our response following an internal review you have the right to appeal to The Information Commissioner at Wycliffe House, Water Lane,

Wilmslow, Cheshire, SK9 5AF. More information is available on their website;
www.ico.gov.uk.

Yours sincerely

Corporate Records and Freedom of Information Facilitator