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Request for Information Reference: 12.22.41

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Email only

13th January 2023

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 19th December 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 digital dictation and I am providing the following information in response to your specific questions:

1. Do you use any digital dictation software within your trust?

If yes:

Yes

a. Which provider do you use? (please provide supplier and system names)

3M Healthcare – M*Model Fluency
Dictate IT – DIT2

b. How many users / licences do you currently have and what is your yearly spend? Please split spend by fixed annual licence fee vs any volume-based usage fees if possible

3M Healthcare – 1400
Dictate IT – No licences required

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 supplier has 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).

c. How long have you been with this provider? What was the date of your most recent contract and when does this expire? Who was your previous provider?

3M Healthcare – 1st October 2021, expires 30th September 2028
Dictate IT – 31st August 2022, expires 22nd August 2023

If no:

- a. Do you use any analogue solutions (eg. Dictaphone)?**
- b. What solutions do you use and who provides those?**
- c. What is your approximate yearly spend on these solutions?**

Not applicable

2. Do you use any speech recognition software within your trust?

If yes:

Yes – See answers to question 1

- a. Which provider do you use? (please provide supplier and system names)**

See answers for question

- b. How many users / licences do you currently have and what is your yearly spend? Please split spend by fixed annual licence fee vs any volume-based usage fees if possible
- c. How long have you been with this provider? What was the date of your most recent contract and when does this expire? Who was your previous provider?

3. Do you use any outsourced transcription services within your trust?

If yes:

- a. Which provider do you use?
- b. How many users / licences do you currently have and what is your annual spend and volume usage (eg. lines per year)? Please split spend by fixed annual fee vs any volume-based usage fees is possible (eg. spend on lines per year)
- c. How long have you been with this provider? What was the date of your most recent contract and when does this expire? Who was your previous provider?

Not applicable

If no:

- a. Do you do transcription in-house?

Yes

- b. If so who does this? (ie. the clinician, admin staff, IT team etc.)

Administration staff

Terminology

1. **Digital Dictation** - Device or software used to record audio and share recordings digitally
2. **Speech Recognition Software** - Software used to automatically identify and translate spoken words into text. Used to complete tasks or transcribe documents
3. **Outsourced Transcription Services** - Use of a 3rd party to identify and transcribe spoken words into text

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