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Request for Information Reference: 10.23.42

FOI Direct line: 01325 743700
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Email only

22nd November 2023

Dear

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 13th October 2023 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 Problems with Electronic Patient Records and I am providing the following information in response to your specific questions:

Please can you answer the following questions, and where possible name the hospitals involved?

1. Do you monitor and log potential patient harms as a result of problems with your Electronic Patient Record (EPR) system?

Any incidents are recorded in Ulysses and harm assessed at that point. They are reviewed by both the care group and the clinical risk management matron.

2. Overall, how many letters to GPs, or documents, have not been sent out as a result of EPR problems?

As at October 2023 there were 1,394 letters not sent for 2023/24 (monthly average of 97.4% of discharge letters sent between April 2023 and October 2023).

3. Please give the date/s when you discovered these letters were not sent?

The Trust monitors on a rolling basis and take action in real time as needed.

4. Overall, how many incidents of potential patient harm have been connected to your EPR system?

The incident management system has an option for staff to select if there were any issues relating to EPR with the incident they are reporting. Since November 2022 2,117 incidents have had this option selected; however, only three have been deemed to cause patient harm (escalated as SI).

5. Overall, how many incidents involving EPR at your trust have been declared as “serious harm” or a “serious incident”?

There are incidents reported as serious incidents where issues with the EPR system have been identified as one of the contributory factors.

6. Overall, how many patient deaths have been connected to EPR?

Zero

7. How much have you spent on your EPR system overall?

8. How much do you anticipate spending on EPR in the next five years?

9. What is the anticipated cost of running the EPR system at your trust annually?

The Trust is 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:

The information is commercially sensitive however from the approved business case the Board anticipate that benefits expected to be delivered over the term of the new system will outweigh additional costs.

Our supplier has made clear representation that specific pricing for the service and initial project, including the value of annual support/maintenance services 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.

In addition to the above, the amount to be spent on the system over the next five years would depend on the Trust's functionality needs and would be subject to negotiation with the supplier.

The Trust considers that there is potential for prejudice to its suppliers commercial interests, and with respect to potential future costs, the Trust's own negotiating position, to arise with reasonable proximity and, therefore, that the exemption

under Section 43(2) of the Act is engaged and has therefore considered the public interest test as outlined in the following paragraph

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.

The Trust is able, however, to provide overall contract cost information which is available on our website, on the contracts register, found here - [County Durham and Darlington - Information for Suppliers \(cddft.nhs.uk\)](http://cddft.nhs.uk) – see line 12 on page 16 on the register.

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