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Request for Information Reference: 02.18.12

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Email only

6 March 2018

Freedom of Information Act 2000 – Request for Information

Thank you for your request for information received on 7 February 2018 in relation to the County Durham and Darlington NHS Foundation Trust (Trust). We are dealing with your request under the provisions of the Freedom of Information Act 2000.

You requested information regarding dispensed products. Specifically you asked for:

This is a Freedom of Information request regarding usage of certain products in all NHS Trusts, these products are:

- ***Iloprost 0.5mg/0.5ml Ampoules***
- ***Melatonin 1mg/ml oral solution,***
- ***Melatonin 2mg Capsules,***
- ***Melatonin 3mg Capsules,***
- ***Melatonin 5mg Capsules,***
- ***Melatonin 3mg Tablets***
- ***Mexiletine 200mg capsules***
- ***Diazoxide 50mg/ml oral suspension***

1. How many packs of these products were dispensed quarterly in 2015?

Answer: Provided in units not pack size.

	Quarter 1 Jan-Mar 2015	Quarter 2 Apr-Jun 2015	Quarter 3 Jul-Sept 2015	Quarter 4 Oct-Dec 2015
Iloprost 0.5mg/0.5ml Ampoules – Single pack	2	0	0	0
Iloprost 0.5mg/0.5ml Ampoules – Pack of 5	0	0	0	0
Melatonin 1mg/ml Oral Solution	6390	8125	5405	5030
Melatonin 2mg Capsules	0	0	0	0
Melatonin 3mg Capsules	0	0	0	0
Melatonin 5mg Capsules	0	0	0	0
Melatonin 3mg Tablets	181	4	0	2
Mexiletine 200mg Capsules	0	0	0	0
Diazoxide 50mg/ml Oral Suspension	30	0	0	30

2. How many packs of these products were dispensed quarterly in 2016?

Answer: Provided in units not pack size.

	Quarter 1 Jan-Mar 2016	Quarter 2 Apr-Jun 2016	Quarter 3 Jul-Sept 2016	Quarter 4 Oct-Dec 2016
Iloprost 0.5mg/0.5ml Ampoules – Single pack	0	0	0	0
Iloprost 0.5mg/0.5ml Ampoules – Pack of 5	0	0	0	0
Melatonin 1mg/ml Oral Solution	6200	1691	2604	1726
Melatonin 2mg Capsules	0	0	0	0
Melatonin 3mg Capsules	0	0	0	0
Melatonin 5mg Capsules	0	0	0	0
Melatonin 3mg Tablets	0	0	0	67

Mexiletine 200mg Capsules	0	0	0	0
Diazoxide 50mg/ml Oral Suspension	60	0	30	0

3. How many packs of these products were dispensed quarterly in 2017?

Answer: Provided in units not pack size.

	Quarter 1 Jan-Mar 2017	Quarter 2 Apr-Jun 2017	Quarter 3 Jul-Sept 2017	Quarter 4 Oct-Dec 2017
Iloprost 0.5mg/0.5ml Ampoules – Single pack	0	16	17	21
Iloprost 0.5mg/0.5ml Ampoules – Pack of 5	0	0	0	0
Melatonin 1mg/ml Oral Solution	2300	1600	1803	3597
Melatonin 2mg Capsules	0	0	0	0
Melatonin 3mg Capsules	0	0	0	0
Melatonin 5mg Capsules	0	0	0	0
Melatonin 3mg Tablets	0	0	6	0
Mexiletine 200mg Capsules	8	0	0	0
Diazoxide 50mg/ml Oral Suspension	0	0	0	0

4. What was the annual spend for each product between 2015 and 2017?

	2015	2016	2017
Iloprost 0.5mg/0.5ml Ampoules – Single pack			
Iloprost 0.5mg/0.5ml Ampoules – Pack of 5			
Melatonin 1mg/ml Oral Solution- Single pack			
Melatonin 2mg Capsules- Single pack			
Melatonin 3mg Capsules- Single pack			
Melatonin 5mg Capsules- Single pack			
Melatonin 3mg Tablets – Single pack			

Mexiletine 200mg Capsules- Single pack			
Diazoxide 50mg/ml Oral Suspension- Single pack			

Answer: The Trust purchases the majority of such items from a number of suppliers under frameworks managed by the Commercial Medicines Unit of the Department of Health. To disclose information that, in conjunction with pack sizes and numbers of packs, would enable unit prices to be calculated, would be likely to harm the interests of both the Unit, as the owner of the framework, and the Trust. Specifically it would be likely to encourage suppliers to seek to undercut prices on the framework, both undermining adherence to the framework and, in likelihood, the fairness and robustness of the selection process used for each framework. Since the national frameworks have been put in place to secure value for money for NHS Trusts and for the taxpayer, there is clearly a public interest in seeking to mitigate such behaviour.

Section 43 (2) of the Act allows a public authority to exempt information from publication which would be likely, if disclosed, to harm the commercial interests of that authority or a third party where the public interest in preventing that harm outweighs the public interest in disclosure. The Trust considers that the balance of the public interest, in this case, lies in preventing harm to the ability of the Trust and the Commercial Medicines Unit to obtain value for money for the taxpayer, and is declining to disclose the requested information, therefore, under Section 43(2) of the Act”.

5. What was the cost per unit of each product between 2015 and 2017 to your organisation?

	2015	2016	2017
Iloprost 0.5mg/0.5ml Ampoules – Single pack			
Iloprost 0.5mg/0.5ml Ampoules – Pack of 5			
Melatonin 1mg/ml Oral Solution			
Melatonin 2mg Capsules- Single pack			
Melatonin 3mg Capsules- Single pack			
Melatonin 5mg Capsules- Single pack			
Melatonin 3mg Tablets – Single pack			
Mexiletine 200mg Capsules- Single pack			
Diazoxide 50mg/ml Oral Suspension- Single pack			

Answer: The Trust purchases the majority of such items from a number of suppliers under frameworks managed by the Commercial Medicines Unit of the Department of Health. To disclose information that, in conjunction with pack sizes and numbers of packs, would enable unit prices to be calculated, would be likely to harm the interests of both the Unit, as the owner of the framework, and the Trust. Specifically it would be likely to encourage suppliers to seek to undercut prices on the framework, both undermining adherence to the framework and, in likelihood, the fairness and robustness of the selection process used for each framework. Since the national frameworks have been put in place to secure value for money for NHS Trusts and for the taxpayer, there is clearly a public interest in seeking to mitigate such behaviour. Section 43 (2) of the Act allows a public authority to exempt information from publication which would be likely, if disclosed, to harm the commercial interests of that authority or a third party where the public interest in preventing that harm outweighs the public interest in disclosure. The Trust considers that the balance of the public interest, in this case, lies in preventing harm to the ability of the Trust and the Commercial Medicines Unit to obtain value for money for the taxpayer, and is declining to disclose the requested information, therefore, under Section 43(2) of the Act”.

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. Therefore, a version of our response which will protect your anonymity will be posted on the County Durham and Darlington NHS Foundation Trust website.

If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me on the above telephone number or at the above address.

If you are unhappy with the way your request for information has been handled, you can request a review by writing to:

The Chief Executive
County Durham & Darlington NHS Foundation Trust
Darlington Memorial Hospital
Hollyhurst Road
Darlington
DL3 6HX

If, you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at:

The Information Commissioner’s Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113
Website: www.ico.gov.uk.

There is no charge for making an appeal.

Yours sincerely

Joanna Tyrrell
Freedom of Information Officer