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Request for Information Reference: 06.21.43

FOI Direct line: 01325 743700
Email: cdda-tr.cddftfoi@nhs.net

Email only

13 August 2021

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 18 June 2021 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 telecommunications.

Please see the attached spreadsheet containing the table you provided which has been completed. In addition there are three further attachments all of which are referred to in the table.

Please note that some information in attachments 2 and 3 has been redacted. This is under Section 43(2) of the FOIA which exempts from disclosure 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. The disclosure of this information would provide any future suppliers with an unfair advantage with regards to the tender process.

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).

Please note that there are also instances of redactions under Section 40(2) of the FOIA. Under section 40(2) of the Act it states that information which constitutes personal information about a third party will be exempt if disclosure of the third party personal information would breach the data protection principles (s40(3)).

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