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Request for Information Reference: 08.21.50

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Email only

10<sup>th</sup> September 2021

## **Freedom of Information Act 2000 – Request for Information**

Thank you for submitting a request for information which we received on 31<sup>st</sup> August 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 medical appraisal and revalidation software supply and I am providing the following information in response to your specific questions:

**I am writing to make a request under the Freedom of Information Act in relation to medical appraisals for revalidation; as well as 360 degree multi-source feedback [MSF] at your organisation, including information relating to your use of medical revalidation software and third-party suppliers.**

**1. Does the organisation use an external supplier to supply software for the management of annual appraisals, revalidation and 360 degree multi-source feedback?**

The Trust does use an external supplier to supply software for the management of annual appraisals, revalidation and 360 degree multi-source feedback.

**2. If so, which supplier does the organisation use for:**

**a) Medic Appraisals and Revalidation?**

The Trusts users Premier IT Group Ltd (PReP System).

**b) 360 degree multi-source feedback?**

The PReP System includes the 360 degree multi-source feedback.

**3. What was the annual cost to the third party in 20/21 for:**

**a) Medic Appraisals and Revalidation?**

We 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).

The company has agreed that a cost bracket of between £20k and £36k can be given.

**b) 360 degree multi-source feedback?**

The costs for PReP including 360 MSF + VAT for this period was £23k.

**4. Please can you provide the contract start and end date for:**

**a) Medic Appraisals and Revalidation?**

The start and end date for Medic Appraisals and Revalidation was 30/04/2019 until 29/04/2023.

**b) 360 degree multi-source feedback?**

The start and end date for 360 degree multi-source feedback was 30/04/2019 until 29/04/2023.

**5. When will the organisation commence the start of the next Tender requirement for:**

**a) Medic Appraisals and Revalidation?**

This has not been discussed yet as there is a number of years before the end of the current contract.

**b) 360 degree multi-source feedback?**

This has not been discussed yet as there is a number of years before the end of the current contract.

**6. Did the organisation procure the supplier via a framework? If so, which framework?**

**a) Medic Appraisals and Revalidation?**

The contract was awarded via the CCS Framework.

**b) 360 degree multi-source feedback?**

The contract was awarded via the CCS Framework.

**7. Does the organisation use internal or external Appraisers for Annual Appraisal?**

Internal trust medical appraisers are used to perform medical appraisals within the Trust.

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](mailto: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](http://www.ico.gov.uk).

Yours sincerely

**Corporate Records and Freedom of Information Facilitator**