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Request for Information Reference: 11.21.54

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Email only

22<sup>nd</sup> December 2021

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

Thank you for submitting a request for information which we received on 26<sup>th</sup> November 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 radiology and pathology IT systems and I am providing the following information in response to your specific questions:

### **1. What is the main Radiology (RIS/CRIS) system that your Trust/Health Board runs?**

CRIS

### **Who is the supplier of this system?**

Healthcare Software Solutions Ltd

### **What is the annual cost of the system?**

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.

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).

**How long is the contract for the system, and when does it expire?**

2 years with 3 options to extend; current expiry date 31/03/2022

**What is the overall lifetime cost of the system?**

£140,904.00 as detailed on the Trust Contract Register which can be found on the Trust website: <https://www.cddft.nhs.uk/our-services/non-clinical-services/procurement/information-for-suppliers.aspx>

**2. What is the main Picture Archiving and Communications System (PACS) system that your Trust/Health Board runs?**

PACS and Viewpoint Obstetric System

**Who is the supplier of this system?**

GE Medical Systems Ltd

**What is the annual cost of the system?**

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.

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.

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**How long is the contract for the system, and when does it expire?**

10 years; Expiry 30/09/2025

**What is the overall lifetime cost of the system?**

£1,961,448.00 as detailed on the Trust Contract Register which can be found on the Trust website: <https://www.cddft.nhs.uk/our-services/non-clinical-services/procurement/information-for-suppliers.aspx> (please note that the online version currently includes a typo which has added an extra zero to the value of this contract)

**3. What is the main Pathology (LIMS) system that your Trust/Health Board runs?**

Winpath

**Who is the supplier of this system?**

Clinisys Solutions Ltd

**What is the annual cost of the system?**

£198,697.00

**How long is the contract for the system, and when does it expire?**

10 years; Expiry 31/03/2022

**What is the overall lifetime cost of the system?**

£812,427.00

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**