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Request for Information Reference: 05.22.12

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

Email only

10th May 2022

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 6th May 2022 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 mobile network contracts and I am providing the following information in response to your specific questions:

I would be grateful if you could please send me the following information with regards to the organisation's Mobile Phones contract.

- 1. Network Provider(s) - Please provide me with the network provider, if the contract is managed for example by Daisy, please state the network provider for e.g., Vodafone, O2, EE.**

Vodafone

- 2. Annual Average Spend for each contract if there is more than one contract Network**

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 network contract 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).

3. Contract Start Date

01/04/2022

4. Contract Expiry Date, If the contract as expired or is rolling please state

31/03/2025

5. Duration of the contract- please state if the contract also includes contract extensions for each provider.

3 years. No extensions.

6. Contract Review Date- Please can you provide me with a date when the organisation plans to review this contract

January 2025

7. Number of Connections - number of voices only devices, voice and data devices, data only devices)

860 voice only, 1701 voice & data, and 3 data only

8. The person in the organisation responsible for this particular contract. Can you send me contact name, Job title, contact number and email add?

Peter McGuire, ICT Operations and Service Manager, peter.mcguire@nhs.net

Please can you provide me with the latest information- If the organisations are currently out to tender, please can you also state the approx. date of the award along with the information above.

If this contract was awarded within the past three months, can you please provide me with a shortlist of suppliers that bid on the contract?

Not applicable

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