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Request for Information Reference: 07.22.09

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

Email only

2<sup>nd</sup> August 2022

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

Thank you for submitting a request for information which we received on 5<sup>th</sup> July 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 the number of patients and postage and I am providing the following information in response to your specific questions:

1.	<p><b>How many patients in total is your trust responsible for (please provide the total number of patients seen by the Trust in 2021-22)</b></p> <p>A&amp;E attends – 147,091                  Admissions – 123,146                  OP Attends – 464,380</p>
1.	<p><b>What is the total number of letters you post a year</b></p> <p>2,441,542</p>
2.	<p><b>Which Postal carrier(s) do you use ?</b></p> <p><b>Royal Mail:</b> Yes  <b>Whistl:</b> No  <b>UKMail:</b> No  <b>Other (please specify):</b> Northern Mail</p>
3.	<p><b>What percentage of your patient letters are sent 1<sup>st</sup> Class:</b> 99%  <b>What percentage of your patient letters are sent 2<sup>nd</sup> Class (or equivalent):</b></p>

	1%
4.	<p><b>Do you still use franking machines:</b> Yes</p> <p><b>If Yes, Who is the manufacturer of your franking machines</b></p> <p><b>Pitney Bowes:</b> No</p> <p><b>Quadiant:</b> Yes</p> <p><b>Other (please specify):</b> N/A</p>
5	<p><b>Do you use Hybrid mail to send patient letters:</b> Yes</p> <p><b>If Yes,</b></p> <p><b>What percentage of your total postal volumes (question 1) are sent via hybrid mail?:</b> 66%</p> <p><b>What is the name of your hybrid mail supplier:</b> Synertec</p> <p><b>What framework did you use to procure hybrid mail:</b> Direct Award - CCS</p> <p><b>When was the contract signed:</b> 01/05/2019</p> <p><b>What is the duration (Term) of the contract:</b> 48 months</p>
6	<p><b>Do you currently use a Patient portal or App for some or all of your patient communications?:</b> No</p> <p><b>If Yes, Who is the supplier of your web portal or App technology:</b> N/A</p> <p><b>When did you first implement your patient portal or App technology (Year/Month):</b> N/A</p> <p><b>How many patients have registered to use your patient portal or App:</b> N/A</p> <p><b>How many letters a year are currently being sent via your web portal or App:</b> N/A</p>
7	<p><b>Do you currently use Email to communicate with your patients:</b> Yes</p> <p><b>If yes, Who supplies your email service:</b> NHS Digital</p> <p><b>How many emails do you send to patients a year:</b> Section 12, please see below</p> <p><b>What is the cost of each email communication:</b> Section 12, please see below</p>
8	<p><b>Do you currently use SMS to communicate with your Patients:</b> Yes</p> <p><b>If yes, Who supplies your SMS service:</b> EE and Health Call</p> <p><b>How many SMS do you send to patients a year:</b> Section 12, please see below</p> <p><b>What is the cost of each SMS communication:</b> Section 43</p>
9.	<p><b>Who has responsibility for digital transformation in your organisation</b></p> <p><b>Name:</b> Transformation Programme Director (EPR), Tracey Oxley-Haines</p>

	<b>Email Address:</b> traceyhardy@nhs.net
10.	<b>Who is responsible for your post room (i.e. who is your post room manager)</b> <b>Name:</b> William Thompson <b>Email Address:</b> William.thompson3@nhs.net
11.	<b>Who is the Director of IT in your organisation</b> <b>Name:</b> Chief Information Officer – Andrew Izon Head of Health Informatics – David Stafford <b>Email Address:</b> andrew.izon@nhs.net, david.stafford@nhs.net
12.	<b>Who is the procurement manager responsible for print and post solutions in your organisation</b> <b>Name:</b> Michelle Royce <b>Email Address:</b> michelle.royce@nhs.net

**Section 12** - The Trust does not centrally record this information and estimates that it would take a significant amount of time to gather the information requested. In order to gather this information it would require a member of staff to manually examine the sets of patient's notes for the entire community which we serve which is 600,000 patients. Therefore, we are refusing this section of your request for information pursuant to section 12 of the Act on the grounds that we estimate that the cost of complying with the request would exceed the appropriate limit. The appropriate limit at the present time is £450.00 which equates to eighteen hours of work by a member of staff at the rate of £25 per hour.

**Section 43** – The Trust 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.

Health Call and EE have made clear representation that pricing for the SMS communications 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 Trust does not centrally record the information requested in questions 7 and 8 and estimates that it would take a significant amount of time to gather the information requested. In order to gather this information it would require a member of staff to manually count the amount of emails and SMS communications that the Trust has sent to patients. As well as this, the cost of emails and SMS communications are included in the Trust's overall bill and cannot be broken down without exceeding the time limit. Therefore, we are refusing this section of your request for information pursuant to section 12 of the Act on the grounds that we estimate that the cost of complying with the request would exceed the appropriate limit. The appropriate limit at the present time is £450.00 which equates to eighteen hours of work by a member of staff at the rate of £25 per hour.

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**