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Request for Information Reference: 10.22.40

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

Email only

14th November 2022

Dear

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 24th October 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 Teleradiology/Outsourced Radiology Reporting and I am providing the following information in response to your specific questions:

Please confirm the below information for each contract you hold with a teleradiology/outsourced radiology reporting provider:	Provider 1	Provider 2	Provider 3	Provider 4
Name	Medica Reporting LTD			
Contract start date	01/07/2022			
Contract end date	30/06/2025			
Option for extension/roll-over period	None			
Procurement route/framework used	NHS Supply Chain Framework			
Exclusivity or volume commitment within contract	Not Applicable			

1. Number of CT/MRI examinations reported between 1st July 2022 and 30th September 2022 that require a 1-hour turnaround time or quicker (Emergency reporting)
2. If Emergency reporting (up to 1-hour) is not outsourced, then please confirm the number of examinations reported locally between 1st July 2022 and 30th September 2022 that require a 1-hour turnaround time or quicker (Emergency reporting)
3. Number of CT/MRI examinations reported between 1st July 2022 and 30th September 2022 that require a turnaround time of between 1 and 48 hours (Urgent reporting)
4. Number of CT examinations reported between 1st July 2022 and 30th September 2022 that require a 48-hour turnaround time or longer (Routine/general reporting)
5. Number of MRI examinations reported between 1st July 2022 and 30th September 2022 that require a 48-hour turnaround time or longer (Routine/general reporting)
6. Number of Plain Film (X-Ray) examinations reported between 1st July 2022 and 30th September 2022 that require a 48-hour turnaround time or longer (Routine/general reporting)

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 every referral would have to be checked to establish the time the images were sent for reporting to when the time report was received. 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.

7. Total financial expenditure for CT/MRI examinations reported between 1st July 2022 and 30th September 2022 that require a 1-hour turnaround time or quicker (Emergency reporting)
8. Total financial expenditure for CT/MRI examinations reported between 1st July 2022 and 30th September 2022 that require a turnaround time of between 1 and 48 hours (Urgent reporting)
9. Total financial expenditure for CT examinations reported between 1st July 2022 and 30th September 2022 that require a 48 hour turnaround time or longer (Routine/general reporting)
10. Total financial expenditure for MRI examinations reported between 1st July 2022 and 30th September 2022 that require a 48-hour turnaround time or longer (Routine/general reporting)
11. Total financial expenditure for Plain Film (X-Ray) examinations reported between 1st July 2022 and 30th September 2022 that require a 48-hour turnaround time or longer (Routine/general reporting)

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.

Our supplier has made clear representation that expenditure for the CT, MRI and X-ray examinations 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).

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