

Freedom of Information Request**Ref: UHB 18-243**

Date 31 May 2018

By Email

Dear Sir

Thank you for your request for information under the Freedom of Information Act 2000. The Trusts response is as follows:

1. Who is your current and previous pathology logistics contractor (spanning the last 3 years or existing contract- whichever is longer?)

We do not have a pathology logistics contractor. Pathology logistics is managed in-house.

2. What is the current contract(s) end date(s) and are there any provision for extensions?

Not applicable. Pathology logistics is managed in-house.

3. Who is the named lead undertaking the NHS Improvements 'Operational Improvement' Activity to move to cluster operations for pathology networks? Please provide their name and salutation, their email address and mobile telephone number please.

Under Section 40(2) of the Freedom of Information Act, relating to a breach of Principle 1 of the Data Protection Act we are required to judge as to whether the disclosure of the information would be fair and reasonable to our employees. Guidance issued by the Information Commissioner states that this exemption will commonly apply to "lists and directories of staff" and we do not believe that disclosing names and contact details to a third party would be fair or reasonable; therefore we are withholding this information at this time.

4. Who or which body would the procurement of your future contract be made by?
Bristol & Weston Purchasing Consortium (BWPC)

5. Please provide the name, address, email and telephone number of the person responsible for the commissioning of services and the same for the person responsible for reviewing contract performance.

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information would be fair and reasonable to our employees. Guidance issued by the Information Commissioner states that this exemption will commonly apply to "lists and directories of staff" and we do not believe that disclosing names and contact details to a third party would be fair or reasonable; therefore we are withholding this information at this time.

6. Please provide the current Service Specification's in place across the contract (s).

Collection and delivery of pathology samples from approximately 40 GP practices in Bristol.

7. How is your current contract operated (in lots or as a whole)? What are the different budgets for these?

The current contract is operated in whole. There are no budgets as this service is not contracted out.

8. What is your forecast spend in the following years if known 2018/19, 2019/20 and 2021/22?

Not applicable. This service is managed in-house.

9. Please provide KPI and Penalties measure in place across this contract and the most recent performance review of the same.

This is commercially sensitive information and will not be shared at an organisational level. **Section 43** of the FOI Act provides that information is exempt if its disclosure would, or would be likely to prejudice the commercial interests of any person. Therefore; we are withholding this information at this time.

10. Please provide the current service specification in place?

Collection and delivery of pathology samples from approximately 40 GP practices in Bristol

Public Interest Test

When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors:

Public interest considerations favouring disclosure

There is a public interest in disclosing information to facilitate accountability and transparency in the spending of public money.

There is a public interest in ensuring that companies are able to compete fairly.

There is also a public interest in ensuring that this is competition for public sector contracts.

Public interest considerations favouring withholding the information

Against disclosure is that the release of the requested information is commercially sensitive in that disclosing this information would reduce the number of companies willing to do business with the public sector, leading to reduced competition and increased costs.

Against disclosure is the public interest is the potential that by releasing the requested information would or would prejudice someone's commercial interests i.e. damage a company's reputation or the confidence that customers, suppliers or investors may have in a company.

We have considered whether it would be in the public interest for us to provide you with the requested information, despite the exemption being applicable. In this case, I have concluded that the public interest favours withholding the information. We reached the view that, on balance, the public interest is better served by withholding this information under Sections 43 of the Freedom of Information Act at this time.

This concludes our response. We trust that you find this helpful, but please do not hesitate to contact us directly if we can be of any further assistance.

If, after that, you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Trust Secretary
University Hospitals Bristol NHS Foundation Trust
Trust Headquarters
Marlborough Street
Bristol
BS1 3NU

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

To view the Freedom of Information Act in full please click [here](#).

Yours sincerely,

FOI Administrator