



Date: 1 December 2020
Our reference: N/20/3159

Dear Requestor

RE: Freedom of Information Request

With reference to your request for information I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 that we do hold the information that you have requested. A response to each part of your request is below.

Please note, as of 1st April 2020 the following Clinical Commissioning Groups (CCGs), NHS Mansfield & Ashfield CCG, NHS Newark & Sherwood CCG, NHS Nottingham City CCG, NHS Nottingham North & East CCG, NHS Nottingham West CCG and NHS Rushcliffe CCG, merged to become NHS Nottingham and Nottinghamshire CCG. More information around the new NHS Nottingham and Nottinghamshire CCG can be found on our website - <https://nottsccg.nhs.uk/about-us/our-ccg/>

In the request you asked:

NHS 111 Service

Please provide dates in which your Clinical Commissioning Group will be contracting for NHS 111 services over the next 5 years?

The current contract ends on 30th October 2022, we plan to re-procure to this timescale

Please provide when the existing contract ends with your current provider of NHS 111 services?

30th October 2022

Is there an extension period on the existing contract for your NHS 111 services? If yes , what is it?

There is an optional two year extension period

Please provide the annual and total contract value of your existing contract for NHS 111 services?

I can confirm that we do hold this information; however it is our opinion that this information is exempt from disclosure pursuant to section 43(2) of the Freedom of Information Act 2000 (FOIA). Section 43(2) relates to information that is exempt from disclosure that could have a detrimental effect on the commercial interests of "...any person." Nottingham and Nottinghamshire CCG consider that at this time the commercial interests of the CCG, third parties and overall the NHS could be detrimentally impacted upon.

As this section is a qualified exemption, we are obliged to apply the public interest test as below:

Public Interest Test

Nottingham and Nottinghamshire CCG recognise that the disclosure of the information sought in relation to NHS 111 Service contract values would provide transparency in the use of public funds by the CCG and by the NHS in general. It would also assist the general populace with transparency in decision making by the CCG and their transactions with third parties.

Conversely to the factors demonstrated above in favour of disclosure, it is felt that Nottingham and Nottinghamshire CCG, third party suppliers and overall the NHS could be disadvantaged should the information sought in relation to NHS 111 Service contract values be made available. Nationally there are a maximum of two call prices that can be applied to a NHS 111 Service. All costs are built into these prices. By cross-referencing the contract value with the activity data that is nationally published, any competing provider would be able to fairly accurately work out the call price that the CCG pay to DHU. Suppliers compete with one another in a competitive environment and to provide data to this level of detail would lead to loss of confidence by suppliers

and customers and could cause significant harm to the CCG and suppliers.

The disclosure could also adversely impact on any on-going or future procurement processes for the reasons outlined above. Any disclosure by the CCG could in future discourage the provision of commercially sensitive information necessary to respond properly to the CCG's Invitation To Tender, and would be likely to affect and undermine the CCG's bargaining position in any future procurement process or negotiations. Ultimately civil action could be taken against the CCG should information be disclosed that adversely affects the commercial interests of current and/or future suppliers.

As a result, it is our opinion that this sufficiently demonstrates the prejudice which could be caused through disclosure.

Balance Test

It is important to bear in mind that any disclosure under the FOI Act is a disclosure to the public at large and not just to the applicant. It is recognised that there is a general public interest in the CCG being open and transparent. However, it is not believed that this public interest is served in disclosure for damage that would be caused as outlined above.

Therefore the CCG consider that releasing this information would not be in the public interest, as the public interest does not outweigh the prejudice as set out above.

Please provide the name of the existing provider of your NHS 111 services?

DHU 111 (East Midlands) CIC are the providers of NHS111 Services for the East Midlands Region.

Who is the main point of contact responsible for procurement of NHS 111 services? Please provide contact details.

The re-procurement will be managed by the Coordinating Commissioning Team. At the relevant time due process will be followed to ensure that the market is aware of our procurement and aware of how to contact the relevant people should this be necessary.

Is there a Mandate to use only Pathways Clinical Content as part of your NHS 111 triage system? Y/N?

No – the current service specification mandates use of a Clinical Decision Support System

If you are unhappy with the way in which your request has been handled, NHS Nottingham and Nottinghamshire Clinical Commissioning Group have an internal review procedure through which you can raise any concerns you might have. Further details of this procedure can be obtained by contacting Lucy Branson, Associate Director of Governance via lucy.branson@nhs.net or by writing to NHS Nottingham and Nottinghamshire CCG, 1 Standard Court, Park Row, Nottingham, NG1 6GN.

If you remain dissatisfied with the outcome of the internal review, you can apply to the Information Commissioner's Office, who will consider whether the organisation has complied with its obligations under the Act, and can require the organisation to remedy any problems. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by NHS Nottingham and Nottinghamshire Clinical Commissioning Group formerly known as NHS Mansfield and Ashfield Clinical Commissioning Group, NHS Newark and Sherwood Clinical Commissioning Group, NHS Rushcliffe Clinical Commissioning Group, NHS Nottingham West Clinical Commissioning Group, NHS Nottingham City Clinical Commissioning Group and Nottingham North and East Clinical Commissioning Group. You can find out more about how to do this, and about the Act in general, on the Information Commissioner's Office website at: <https://ico.org.uk/for-the-public/>

Complaints to the Information Commissioner's Office should be sent to: FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone 0303 123 1113 or report a concern: <https://ico.org.uk/concerns/>

Yours sincerely

Freedom of Information Officer on behalf of *NHS Nottingham and Nottinghamshire Clinical Commissioning Group formerly known as NHS Rushcliffe Clinical Commissioning Group, NHS Nottingham West Clinical Commissioning Group, NHS Nottingham City Clinical Commissioning Group, NHS Nottingham North and East Clinical Commissioning Group, NHS Mansfield and Ashfield Clinical Commissioning Group and NHS Newark and Sherwood Clinical Commissioning Group.*

notts.foi@nhs.net



All information we have provided is subject to the provisions of the Re-use of Public Sector Information Regulations 2015. Accordingly, if the information has been made available for re-use under the [Open Government Licence](#) (OGL) a request to re-use is not required, but the license conditions must be met. You must not re-use any previously unreleased information without having the consent of the Greater Nottingham Clinical Commissioning Partnership. Should you wish to re-use previously unreleased information then you must make your request in writing (email will suffice) to the FOI Lead via notts.foi@nhs.net. All requests for re-use will be responded to within 20 working days of receipt.

