

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.

In the request you asked:

1. What is the annual spend on community dermatology services for the following years? If not available, please provide data for any available years.

- a. YE 31 March 2019

Not applicable for 2018/19 as NHS Nottingham & Nottinghamshire CCG was formed on 1st April 2020. Please see below for response to this question in relation to the six predecessor CCGs.*

- b. YE 31 March 2020

Not applicable for 2019/20 as NHS Nottingham & Nottinghamshire CCG was formed on 1st April 2020. Please see below for response to this question in relation to the six predecessor CCGs.*

- c. YE 31 March 2021

The annual spend on community dermatology services for 2020/21 is £266,082.

2. What is the annual spend on secondary care/acute dermatology services for the following years? If not available, please provide data for any available years.

- a. YE 31 March 2019

Please see below table for 2018/19.

- b. YE 31 March 2020

Please see below table for 2019/20.

CCG	2018/19	2019/20
NHS Mansfield And Ashfield CCG	£1,660,834	£1,647,595
NHS Newark and Sherwood CCG	£1,450,127	£1,422,189
NHS Nottingham City CCG	£3,213,473	£2,770,499
NHS Nottingham North And East CCG	£1,710,482	£1,650,923
NHS Nottingham West CCG	£1,273,936	£1,172,436
NHS Rushcliffe CCG	£1,466,215	£1,440,369
Grand Total	£10,775,068	£10,104,010

- a. YE 31 March 2021
NHS Nottingham and Nottinghamshire CCG £7,825,158
3. Which organisation(s) (e.g. 3rd party providers) currently provide a community dermatology service to the CCG?
Radcliffe on Trent Health Centre and Bilsthorpe Surgery.
- a. What is the total spend with these organisations (YE 31-Mar-21, or last available year)?
- Radcliffe on Trent Health Centre - £120,547 (Block Contract)
- Bilsthorpe Surgery – please see below for response to this question.*
- b. Do these organisations also provide services to the CCG outside of dermatology? If so, which areas?
Yes. Please refer to the respective GP/Health Centre websites for information on other services provided.
4. On what date does the contract for community dermatology services expire?
- Radcliffe on Trent Health Centre - 31 March 2022
- Bilsthorpe Surgery - 31 March 2022
5. Which organisation(s) (e.g. 3rd party providers) currently provide secondary care/acute dermatology services to the CCG?
Nottingham University Hospitals NHS Trust (NUH), Sherwood Forest Hospitals NHS Foundation Trust (SFHFT) and Nottingham Treatment Centre currently provide secondary care/acute dermatology services.
- a. What is the total spend with these organisations (YE 31-Mar-21, or last available year)?
The total spend for the organisations above (NUH, SFH and the Treatment Centre) in 2020/21 was circa £706m.
- b. Do these organisations also provide services to the CCG outside of dermatology? If so, which areas?
Yes. Please refer to the respective Provider websites for information on other services provided.
6. On what date does the contract for acute dermatology services expire?
The Nottingham and Nottinghamshire CCG does not currently hold the contracts with acute NHS Providers as these are held centrally under the NHS England block arrangement up until the 30th September 2021.
7. Are contracts for dermatology services in partnership with any other CCG(s)? If so, please provide a list of the CCGs that share this contract.
Radcliffe on Trent Health Centre and Bilsthorpe Surgery – No
8. Do you insource any dermatology services?
No (N/A as a commissioner of services).
- a. Which provider(s) do you use for insourcing dermatology services?
Not applicable.

*Response in relation to questions 1a, 1b and 3a of the Freedom of Information request;

Local prices have been agreed with the provider as part of a competitive procurement process, therefore, the CCG are unable to share this information as it is deemed commercially sensitive under Section 43 (2) of the Act.

Section 43 of the Act states that:

(1) Information is exempt information if it constitutes a trade secret.

(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

(3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice the interests mentioned in subsection (2).

*Section 43 is a qualified exemption and is subject to a **public interest test**. Even where you are satisfied that the information requested is a trade secret or that its release would prejudice someone's commercial interests, you can only refuse to provide the information if you believe that the public interest in withholding the information outweighs the public interest in disclosing it.*

*A **public interest test** was undertaken on the 13 August 2021 in response to your request made under the Freedom of Information Act 2000.*

The Information Commissioner's Office (ICO) sets out public interest factors in favour of and against disclosure. Some of the factors in favour were as follows:

- Ensuring that the public authority can be held accountable for its decisions, particularly as to how it spends public money.*
- Ensuring that a tender process is open and transparent.*
- Providing insight into the nature of a procurement process and winning bids, so that other companies are encouraged to take part in the process and improve future bids.*

Public interest factors against disclosure (and in favour of the maintenance of an exemption) included:

- There is an inherent public interest in the maintenance of the exemption, and of upholding private companies' expectations that commercially confidential information will be protected from disclosure when they engage in public authority tenders.*
- Avoiding the discouragement of prospective tenderers from tendering for public sector contracts, for fear of disclosure of their commercially sensitive information to competitors, and that this may adversely affect both the quality of tenders for public sector contracts, and public authorities' ability to negotiate them effectively.*
- Maintaining a competitive market and driving competition as this benefits public authorities and consumers, and which could be threatened by disclosure of companies' commercial information.*

On balance of the factors considered above, along with relevant case law, we considered that the CCG would be entitled to withhold locally agreed tariff prices and that this would be not be superseded by public interest considerations.

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, Sir John Robinson House, Sir John Robinson Way, Arnold, Nottingham, NG5 6DA.

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. 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*.

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 NHS Nottingham and Nottinghamshire Clinical Commissioning Group. 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.