

Re: Your request made under the Freedom of Information Act 2000

The details we require are regarding the Orthotic Service

- What are the contractual performance KPI's for this contract?
Ans: there is no contractor provision as this is an in-house service
- Which KPIs are not being met?
Ans: See above
- Are service users happy with the location and facilities provided by the contractor?
Ans: there is no contractor provision as this is an in-house service
- Actual spend on this contract/framework (and any sub lots), from the start of the contract to the current date?
Ans: See Freedom of Information response below
- Start date & duration of framework/contract?
Ans: there is no contractor provision as this is an in-house service
- Is there an extension clause in the framework(s)/contract(s) and, if so, the duration of the extension?
Ans: see above
- Has a decision been made yet on whether the framework(s)/contract(s) are being either extended or renewed?
Ans: see above
- Who is the senior officer (outside of procurement) responsible for this contract?
Ans: there is no contractor provision as this is an in-house service
- Who is your current provider?
Ans: there is no contractor provision as this is an in-house service
- Is there an allowance for increasing patient numbers and activity each year?
Ans: Not applicable
- Is the contract a lump sum / block contract or pay / BPR for activity basis?
Ans: the service runs on a block contract
- What is the current cost per Orthotist session in your trust?
Ans: See FOI response below
- Do you run your tender in-house or is it outsourced?
Ans: Any tenders within the trust are run in-house
- Which frameworks are you able to buy from currently?
 - For Orthotic Clinical Service
Ans: there is no contractor provision as this is an in-house service
 - For Orthotic stock products
Ans: Items are purchased direct from manufacturers due to cost savings compared to frameworks structure
 - For Orthotic bespoke products NHS Shared Business Services
Ans: Items are purchased direct from manufacturers due to cost savings compared to frameworks structure, except footwear which is under a current contract
- What orthotics services are provided by the NHS in your jurisdiction?
Ans: see FOI response below
- How many sessions do you run per week:?
Ans: 37 to 39
- How many Full Time equivalent Orthotists work in your Trust?
Ans: 6 Orthotists
- How many appliance officers/administrators do you employ in the Orthotics Service?
Ans: 4 administrators

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- Over the past three financial years how many orthotics patients were treated (please breakdown by year)?

Ans: see FOI response below

- For orthotic products:
 - Which companies do you currently order Orthotic footwear from?
 - Ans: see FOI response below
 - Which companies do you currently order insoles from?
 - Ans: see FOI response below

Freedom of information response

The information in the remaining questions is exempt from disclosure pursuant to section 43(2) of the freedom of information Act 2000 (FOIA). S43 (2) relates to information that is exempt from disclosure that could have a detrimental effect on the commercial interests of "...any person". The trust considers that at this time the commercial interests of the trust, third parties and overall the NHS could be detrimentally impacted upon.

Please see the public interest test below:

Public interest test

We recognise that the disclosure of the information sought in relation to provision of annual volumes of prescriptions / orders and the total spend including the lead times for Orthotic footwear and Orthotic stock and bespoke devices would provide transparency in the use of public funds by the trust and the NHS in general. It would also assist the general populous with transparency in decision making by the Trust and their transactions with third parties.

Conversely to the factors demonstrated above in favour of disclosure, it is felt that the trust, third party suppliers and the overall NHS could be disadvantaged should the information sought in relation to the provision of annual volumes of prescriptions/orders and the total spend be made available. Commercial manufacturers compete with one another in a competitive environment and to provide the provision of annual volumes of prescriptions/orders and total spend may allow rival companies to undercut the current suppliers, lead to loss of confidence by suppliers and customers and could cause significant harm and disadvantage to the trust and suppliers.

The disclosure could also adversely impact on any ongoing or future procurement processes for the reasons outlined above. Any disclosure by the trust could also in future discourage the provision of commercially sensitive information necessary to respond properly to the trusts invitation to tender, and would be likely to affect and undermine the trusts bargaining position in any future procurement process or negotiations.

Ultimately civil action could be taken against the trust should information be disclosed that adversely affects the commercial interest of current and / or future suppliers.

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



**Doncaster and Bassetlaw
Teaching Hospitals**
NHS Foundation Trust

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