

Freedom of Information Act Request

Under the Freedom of Information Act, I would like to request the following information:

MRI Insourcing MHS:

<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.contractsfinder.service.gov.uk%2Fnotice%2F8f9c90fe-4f72-4ee3-add6-44284b646bdc&data=05%7C02%7Cd.wraith%40nhs.net%7C2e1d224eab584bd1def308dd5b1aaa0b%7C37c354b285b047f5b22207b48d774ee3%7C0%7C1%7C638766892271020321%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIlwLjAuMDAwMCIsIlAiOiJXaW4zMlslkFOljoITWVpbCIsIlIdUljoyfQ%3D%3D%7C60000%7C%7C%7C&sdata=RMleU6e%2Fp%2BfX5I1HHLIt4TGlaaP%2FqXZ3OiFuYwOmBZk%3D&reserved=0>

The details we require are:

What weighting was applied to criteria for award of this contract; how did the provider demonstrate best value?

This was a direct award based on PSR regulation. As MHS had a history of very good value for money.

the existing provider is satisfying its existing contract, will likely satisfy the new contract to a sufficient standard, and the proposed contracting arrangements are not changing considerably (direct award process C).

Most suitable provider process. This involves awarding a contract to providers without running a competitive process, because the relevant authority can identify the most suitable provider.

Which providers applied for inclusion?

NA

What is the cost per patient based on spend and patient numbers?

The Trust is unable to disclose this information as it is exempt under Section 43(2) of the Freedom of Information Act 2000 (Commercial Interests).

Application of Section 43(2) – Commercial Sensitivity

Section 43(2) exempts information if its disclosure would, or would be likely to, prejudice the commercial interests of any person, including the Trust or third-party suppliers. Releasing cost-per-patient data derived from spend and patient numbers could:

- Reveal sensitive financial details about the pricing structure agreed between the Trust and the supplier.
- Undermine the Trust's ability to negotiate competitive rates in future procurement exercises, leading to increased costs.
- Impact the supplier's commercial position, allowing competitors to gain an unfair advantage by adjusting their pricing strategies accordingly.
- Distort future tendering processes, discouraging suppliers from offering their most competitive rates due to concerns over public disclosure.

Public Interest Test

As Section 43(2) is a qualified exemption, the Trust has conducted a public interest test to assess whether disclosure outweighs the commercial harm.

Factors in Favour of Disclosure:

- Promotes transparency and accountability in the use of public funds.
- Allows public scrutiny of NHS expenditure on MRI Insourcing services.

Factors in Favour of Withholding:

- Protects the Trust's ability to secure cost-effective contracts in future negotiations.
- Prevents potential financial harm to the supplier, ensuring a fair and competitive procurement environment.
- Maintains the integrity of commercial relationships, ensuring continued supplier engagement with the NHS.

Conclusion:

On balance, the public interest in maintaining commercial confidentiality outweighs the public interest in disclosure. Therefore, the cost per patient based on spend and patient numbers for MRI Insourcing MHS is withheld under Section 43(2) of the FOIA.

How much has been spent on the contract to date?

The Trust is unable to disclose the amount spent on this contract as this information is exempt under Section 43(2) of the Freedom of Information Act 2000 (Commercial Interests).

Application of Section 43(2) – Commercial Sensitivity

Section 43(2) exempts information if its disclosure would, or would be likely to, prejudice the commercial interests of any person, including the Trust or third-party suppliers. Providing the financial details of the contract could:

- Undermine the Trust's ability to negotiate competitive rates in future procurement exercises, leading to increased costs.
- Impact the supplier's competitive position by revealing commercially sensitive financial details that competitors could use to their advantage.
- Potentially distort future tendering processes, discouraging suppliers from offering their most competitive pricing due to concerns over public disclosure.

Public Interest Test

As Section 43(2) is a qualified exemption, the Trust has conducted a public interest test to assess whether disclosure outweighs the commercial harm.

Factors in Favour of Disclosure:

- Promotes transparency and accountability in the use of public funds.
- Enables public scrutiny of NHS expenditure on insourcing services.

Factors in Favour of Withholding:

- Protects the Trust's ability to secure best-value contracts in future negotiations.
- Prevents potential financial harm to the supplier, ensuring a fair and competitive procurement environment.
- Maintains the integrity of commercial relationships, ensuring continued supplier engagement with the NHS.

Conclusion:

On balance, the public interest in maintaining commercial confidentiality outweighs the public interest in disclosure. Therefore, the financial details of the MRI Insourcing MHS contract are withheld under Section 43(2) of the FOIA.

Has there been a reduction in the waiting list during the contract period?

Yes

How many service users have accessed the service?

NA

Please confirm any uncosted or unseen value to patients?

Unseen value to customers is a reduction of waiting times for diagnosis of cancers and other illness's and clinical conditions

What improved processes has the service delivered to patients and families?

Improved processes to service users is a reduction of waiting times for diagnosis of cancers and other illness's and clinical conditions, which means they are accessing treatments quicker.

Can you provide summaries of patient/user feedback received during the contract period?

No

How many complaints or Datix reports have been received related to the service?

To ensure we provide you with the most accurate and relevant information, we would appreciate clarification on the following points:

- **Timeframe:** Please specify the period for which you are requesting this information (e.g., last financial year, past five years, etc.).
- **Scope of Service:** Does your request include complaints and investigations related to **mobile imaging services**, or are you specifically referring to **MRI insourcing at fixed locations** within the Trust?

What KPIs are used to measure the success of the contract?

As per the Framework contract agreements and the ability to meet the specification.

How many serious investigations have been conducted?

To ensure we provide you with the most accurate and relevant information, we would appreciate clarification on the following points:

- **Timeframe:** Please specify the period for which you are requesting this information (e.g., last financial year, past five years, etc.).
- **Scope of Service:** Does your request include complaints and investigations related to **mobile imaging services**, or are you specifically referring to **MRI insourcing at fixed locations** within the Trust?
- **Serious Investigations:** Are you requesting data on all investigations, or only those classified as **Serious Incidents (SIs) under NHS England's framework**?

Could you please provide a copy of the service/product specification given to all bidders for when this contract was last advertised?

provide a full team including radiographers, RDA's and other clinical, clerical staff (as agreed) to undertake MRI scanning diagnostics procedures, for a 12-month period of a minimum of 8-days per month at Bassetlaw Hospital, between 8am – 8pm.

ensure that all staff are suitably qualified and experienced to provide the service referred for, that all staff HR checks are in place and that relevant information is held within the individual files, documenting Copy of qualifications, appropriate references, detailed CV, Professional Indemnity, Professional registration with the appropriate registering body, enhanced CRB checks, etc.

Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust (DBTH) will provide the appointments booking function, estate, equipment, contrast, and consumables necessary to undertake scanning procedures.

Clinic throughput: up to 32 patients per 12-hour day.

List templates to be agreed between the provider and the DBTH medical imaging department.

Is there an extension clause in the contract and, if so, the duration of the extension?

12 months

Has a decision been made yet on whether the contract is being either extended or renewed?

Extended

If you are not satisfied with the handling of your request, you have the right to request an internal review. Requests for an internal review should be submitted within 40 working days from the date of this response, and should be addressed to d.wraith@nhs.net.

If you remain dissatisfied after the internal review, you have the right to appeal to the Information Commissioner's Office (ICO). The ICO can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Our Ref: 155

FEB 2025

Tel: 0303 123 1113

Website: <https://ico.org.uk/make-a-complaint/>