



Freedom of Information request & West Norfolk CCG response

WN-2017-00048 – Telehealth/Digital Health, Community Equipment Services & Wheelchair Services

As an Independent Standards Body, I would like to request the following information in relation to all Telehealth / Digital Health, Community Equipment Services and wheelchair services, held by you.

1. Details of all current contracts you have, including the name, address and contact details of the service providers;

1) Telehealth / Digital Health

The information requested is not held. The CCG do not directly commission Telehealth or Telecare services. However, Providers are contracted to deliver these services. Telecare services for Norfolk is the responsibility of the Local Authority.

You may also find it useful to refer your request to the local Trusts who may contract for these services individually, details of their FOI services can be found below:

[Norfolk and Norwich University Hospitals NHS Foundation Trust](#)

[The Queen Elizabeth Hospital King's Lynn NHS Foundation Trust](#)

[Norfolk and Suffolk NHS Foundation Trust](#)

[Norfolk Community Health and Care NHS Trust](#)

2) Community Equipment Services

NHS West Norfolk CCG are party to a Community Equipment Services contract which is held and managed by Norfolk County Council. The CCG do not hold any further details of this contract and any further questions should be redirected to [Norfolk County Council](#).

Address and contact details:

<https://online.norfolk.gov.uk/enquiry/>

3) Wheelchair Service

The Community Wheelchair Service is provided by the Queen Elizabeth Hospital Kings Lynn NHS Foundation Trust; this is part of the wider acute contract.

The address and contact details can be found here:

<http://www.qehkl.nhs.uk/section-index.asp?s=Trust&p=Trust>

2. The renewal date of the contracts;

1) Telehealth / Digital Health

Please see the response to question 1.

2) Community Equipment Services

Please see the response to question 1.

3) Wheelchair Service

April 2017

3. Start date of the contracts;

1) Telehealth / Digital Health

Please see the response to question 1.

2) Community Equipment Services

Please see the response to question 1.

3) Wheelchair Service

March 2019.

4. Value of the contracts;

1) Telehealth / Digital Health

Please see the response to question 1.

2) Community Equipment Services

Please see the response to question 1.

3) Wheelchair Service

The CCG confirms it holds information on the spend for the wheelchair service but are withholding it under section 43(2) of the FOIA. Section 43 of the Act provides an exemption for information, the disclosure of which would or would be likely to prejudice the commercial interests of any person (including the interests of a public authorities, such as CCGs). The CCG is currently due to enter a procurement process for this service and the release of this information is likely to jeopardise the process.

The Information Commissioner's relevant guidance states that:

"...a commercial interest relates to a person's ability to participate competitively in a commercial activity, i.e. the purchase and sale of goods or services"

It is considered that the commercial interests of the providers would be prejudiced. Disclosure would be likely to result in damage to their reputation and loss of confidence in services areas where deficiencies are identified. This would also damage the CCG's ability to commission best value for services as providers would be less likely to do business with the CCG should it be a requirement their company suffers reputational damage.

As this is a qualified exemption we must consider whether the public interest in withholding the information outweighs the public interest in disclosing it.

Factors in favour of disclosure of the information are as follows:

- 1. Furthering the understanding of and participation in the public debate of issues of the day.*
- 2. Promoting accountability and transparency by public authorities for decisions taken by them and in the spending of public money.*
- 3. Allowing individuals and companies to understand decisions made by public authorities affecting their lives.*

Factors in favour of non-disclosure are as follows:

- 1. There is a strong public interest in ensuring that the commercial interests of the failed bidders are not prejudiced. This would be likely to result in reputational damage and affect their business confidence.*
- 2. The CCG would be unable to attract best value for services for future procurement decisions as there would be less incentive for providers to bid.*
- 3. Disclosure of the withheld information into the public domain could endanger true and fair competition.*

The CCG considers that there is a public interest in disclosure of the withheld information as it promotes openness and transparency around surrounding public spending within the NHS. However, equally, the CCG does not consider that it would be in the public interest to damage their suppliers' commercial position by disclosure.

On balance the CCG considers that the public interest in favour of disclosure is outweighed by the public interest in favour of maintaining the exemption in this case. Section 43(2) FOIA was therefore correctly applied to withhold the requested information.

5. Spend on Telehealth/Digital Health for previous financial year 2016/17;

Please see the response to question 1.

6. Spend on community equipment for previous financial year 2016/17;

NHS West Norfolk CCG's spend for Integrated Community Equipment Service (ICES) during 2016/17 was £945,693

7. Spend on wheelchair services for previous financial year 2016/17;

Please see the response to question 4, part 3 above.

8. Number of citizens receiving a telecare service funded by the local authority;

Please see the response to question 1.

9. Commissioning officer's name/s, email address/es and phone number/s.

The information requested is exempt by virtue of section 40(2) of the Act.

Section 40(2) of the Act provides an exemption to the disclosure of information where it is:

- the personal data of someone other than you; and*
- the disclosure of that personal data would put us in breach of the principles of the Data Protection Act 1998 ("DPA"), with which we are obliged to comply.*

The personal data within the withheld information is not public and disclosure of this information to the world at large would be unwarranted, does not add to the substantive understanding of the information disclosed, would cause substantial damage and distress to those data subjects involved, and thus would be unfair and in breach of the first DPA principle and, as such, is exempt from disclosure under section 40(2) of the Act.

NHS West Norfolk CCG publish the names of key individuals on their [website](#). If you wish to contact anyone within the CCG please use the following email address: contact.wnccg@nhs.net or, call the main switchboard on 01553 666 900. This will then be passed onto the appropriate individual/s for a response.