

Ref: FOIA Reference 2019/20-197

Royal Stoke University Hospital
Quality, Safety and Compliance Department
Newcastle Road
Stoke-on-Trent
Staffordshire
ST4 6QG

Date: 26th July 2019

Email foi@uhnm.nhs.uk

Dear

I am writing in response to your email dated 8th July 2019 requesting information under the Freedom of Information Act (2000) regarding procurement.

Some commercially sensitive information relating how much we pay per annum for our procurement software (Q3) has not been disclosed here as we consider that under section 43(2) of the FOI Act: *prejudice to the commercial interests of any party*, is engaged. Disclosure of this information could be commercially detrimental to the Trust and companies acting on our behalf and result in less competitive prices for services. The likely consequence of this would be increased cost for service provision to the Trust. We have considered how the public interest might apply, and although recognising that there is a strong public interest in openness there is a greater public interest ensuring an ability to obtain best value for money.

As of 1st November 2014 University Hospitals of North Midlands NHS Trust (UHNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

Q1 What procurement system do you use? And is this also where you publish tenders?

A1 Please see below:

- Purchase to Pay system: Advanced Business Software and Solutions (ABS)
- No - e-tendering solution: EU-Supply Complete Tender Management (CTM)
- Contracts Finder
- OJEU (Official Journal EU)

Q2 Do you publish tenders anywhere else, if so where?
a) For example, your website, Contracts Finder etc.

A2 Please see below:

- EU-Supply Complete Tender Management (CTM)
- Contracts Finder
- OJEU (Official Journal EU)

Q3 How much do you pay per annum for your procurement software?

A3 Please see below:

- Advanced Business Software and Solutions (ABS) £110k one off licence fee + £56k pa

- EU-Supply Complete Tender Management (CTM) section 43(2) exemption as detailed above
- Contracts Finder, free of charge
- OJEU (Official Journal EU) ,free of charge

Q4 What are the contract start and end dates with the provider and when will the next tender become available?

A4 Please see below:

- Advanced Business Software and Solutions (ABS) October 2014 to October 2022
- EU-Supply Complete Tender Management (CTM) April 2018 to March 2020

Q5 How long have you used this software for in total?

A5 Please see below:

- Advanced Business Software and Solutions (ABS) – since Oct 2014
- EU-Supply Complete Tender Management (CTM) – since 2010

Q6 What are the purchasing rules of your organisation?

a. **For example - £0-£10,000 (3 quotes), £10,000+ public notification etc.**

A6 Please see below:

- Under £20k - Informal quotation process required (3 quotes)
- £20k to £50k - A formal quotation process is required to be undertaken
- For expenditure between £20,000 and £24,999 formal written quotes must be obtained.
- For expenditure between £25,000 and £50,000 formal written quotes must be obtained and the requirement must be advertised through “Contracts Finder” or equivalent.
- £50k to £113,133 (OJEU threshold Supplies & Services) or £4,551,413 (OJEU threshold Works) Formal competitive tenders must be obtained and the requirement must be advertised through “contracts finder” or equivalent.
- Over £113,133 (OJEU threshold Supplies & Services) or £4,551,413 (OJEU threshold Works)
- An advert is to be placed in OJEU (Office Journal of the European Union) and the requirement must be advertised through “contracts finder” or equivalent.
- Competition need not be sought where the product/service is available via NHS Supply Chain/SCCL, or NHS Frameworks such as Crown Commercial Services (CCS) collaborative procurement partner offerings, as these have already been subject to OJEU procurement processes, however the rules/requirements for accessing these type of agreements must be observed.
- In ensuring that there is an appropriate level of competition on all Trust Procurements the Director of Procurement also has the responsibility of reporting instances where due procurement process has not been followed to the Chair of Audit Committee.
- Reasonable consideration must be given to instances where, any single tender action is appropriate, and this with careful consideration to overall value for money versus operational need/risk to the organisation.
- NB: for the avoidance of doubt though any expenditure/contract value over the minimum OJEU threshold (as outlined above) cannot be single tender waived under EU Legislation

*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

UHNM NHS Trust is a public sector body and governed by EU law. FOI requestors should note that any new Trust requirements over the EU threshold will be subject to these regulations and will be advertised for open competition accordingly.

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An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

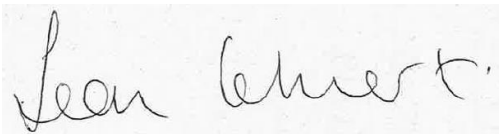
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via www.ico.org.uk.

If following review of the responses I can be of any further assistance please contact my secretary on 01782 676474.

Yours,



Jean Lehnert
Information Governance Manager