

FOI REF: 23/041

13th February 2023

Eastbourne District General Hospital
Kings Drive
Eastbourne
East Sussex
BN21 2UD

Tel: 0300 131 4500
Website: www.esht.nhs.uk

FREEDOM OF INFORMATION ACT

I am responding to your request for information under the Freedom of Information Act. The answers to your specific questions are as follows:

Please provide total amount of money spent (£) by your trust on each of the following sub-categories (as stated on the NHS supply chain website) stated below for the following Financial Years (FY) (2017, 2018, 2019, 2020, 2021, 2022):

- i. **Enteral Feeding, Bile Bags and Associated Products**
 1. **Lot 1 - Enteral Feeding Syringes and Accessories**
 2. **Lot 2 - Enteral Feeding Devices**
 3. **Lot 3 - Enteral Feeds, Drinks and Giving Sets**
 4. **Lot 4 - Bile Bags, Ryles Tubes and Levin Tubes**

- ii. **Infant Feeding and Associated Accessories**
 1. **Lot 1 – Infant Food**
 2. **Lot 2 – Infant Feeding Accessories**

East Sussex Healthcare NHS Trust does not centrally record the spend broken down as above. To enable the Trust to provide this information would require a manual review of each budget code for non-pay of medical supplies, which we estimate would take over the 18-hour timescale, e.g., for one code the Trust have over 400 transactions. We are therefore applying Section 12(1) to this part of your request.

Section 12(1) of the Act allows a public authority to refuse to comply with a request for information if the authority estimates that the cost of compliance would exceed the 'appropriate limit', as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations). These state that this cost limit is £450 for public authorities which are not part of central government or the armed forces. The costs are calculated at £25 per hour per person regardless of the rate of pay, which means that the limit will be exceeded if the work involved would exceed 18 hours. The Trust estimates that the cost of complying with this request would significantly exceed the above limit.

Cont.../

Whilst the Trust holds the information requested, it is also applying a Section 43(2) exemption in relation to this part of the request as the release of the information is likely to prejudice its commercial interests.

In applying the exemption consideration has been given to the public interest in enabling scrutiny of public sector decision making and the general public interest in accountability and transparency.

We have concluded that information broken down to the level requested could cause harm to the Trust as this could distort the market-place and therefore, result in the Trust not obtaining best value for money.

In this instance, we consider that the public interest in withholding the information is greater than the public interest in disclosing the information.

Please provide total volumes (Units Purchased) of each of the categories (as stated on the NHS supply chain website) below for the following Financial Years (FY) (2017, 2018, 2019, 2020, 2021, 2022), at your trust:

iii. Enteral Feeding, Bile Bags and Associated Products

- 1. Lot 1 - Enteral Feeding Syringes and Accessories**
- 2. Lot 2 - Enteral Feeding Devices**
- 3. Lot 3 - Enteral Feeds, Drinks and Giving Sets**
- 4. Lot 4 - Bile Bags, Ryles Tubes and Levin Tubes**

iv. Infant Feeding and Associated Accessories

- 1. Lot 1 – Infant Food**
- 2. Lot 2 – Infant Feeding Accessories**

East Sussex Healthcare NHS Trust does not centrally record the spend broken down as above. To enable the Trust to provide this information would require a manual review of each budget code for non-pay of medical supplies, which we estimate would take over the 18-hour timescale, e.g., for one code the Trust have over 400 transactions. We are therefore applying Section 12(1) to this part of your request.

Section 12(1) of the Act allows a public authority to refuse to comply with a request for information if the authority estimates that the cost of compliance would exceed the 'appropriate limit', as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations). These state that this cost limit is £450 for public authorities which are not part of central government or the armed forces. The costs are calculated at £25 per hour per person regardless of the rate of pay, which means that the limit will be exceeded if the work involved would exceed 18 hours. The Trust estimates that the cost of complying with this request would significantly exceed the above limit.

Please provide a list of suppliers your trust has purchased from under the following categories (as stated on the NHS supply chain website) for the following Financial Years (FY) (2017, 2018, 2019, 2020, 2021, 2022):

v. Enteral Feeding, Bile Bags and Associated Products

1. Lot 1 - Enteral Feeding Syringes and Accessories
2. Lot 2 - Enteral Feeding Devices
3. Lot 3 - Enteral Feeds, Drinks and Giving Sets
4. Lot 4 - Bile Bags, Ryles Tubes and Levin Tubes

vi. Infant Feeding and Associated Accessories

1. Lot 1 – Infant Food
2. Lot 2 – Infant Feeding Accessories

Nutricia.

vii. How much money per supplier within each category

Section 43(2) applied, please refer question 1.

If I can be of any further assistance, please do not hesitate to contact me.

Should you be dissatisfied with the Trust's response to your request, you have the right to request an internal review. Please write to the Freedom of Information Department (esh-tr.foi@nhs.net), quoting the above reference, within 40 working days. The Trust is not obliged to accept an internal review after this date.

Should you still be dissatisfied with your FOI request, you have the right of complaint to the Information Commissioner at the following address:

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

Telephone: 0303 123 1113

Yours sincerely

Linda Thornhill (Mrs)
Corporate Governance Manager
esh-tr.foi@nhs.net