

FOI REF: 24/125

8th March 2024

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 may you provide me with an answer to the following:

1) Who provides your non-emergency patient transport services (NEPTS)?

The main contract is Sussex-wide and is contracted by the Local Integrated Care Board (ICB) who are NHS Sussex. Would you therefore please contact them direct for a response to this part of your request, contact details as follows:

Email: sxicb.foi1@nhs.net.

East Sussex Healthcare NHS Trust holds a supplementary contract for NEPTS with Elite Medical.

2) When does this contract run until?

Please contact NHS Sussex in respect of the Sussex-wide contract, contact details as above.

Elite Medical contracts run to 31st March 2025.

3) What is the value of this contract per annum (i.e. for 2023/24)?

Please contact NHS Sussex in respect of the Sussex-wide contract, contact details as above.

Whilst the Trust holds the information requested in respect of the value of the Elite Medical contract, it is 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.

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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 sharing commercials could disadvantage the incumbent supplier against their competitors. The information could provide competitors with the suppliers pricing, which could result in these suppliers obtaining a competitive advantage which could 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.

- 4) **Do you contract your NEPTS for your organisation in isolation, or is it contracted jointly with other NHS organisations? If so, which other NHS organisations?**

Please refer to question 1.

- 5) **Who is the best person to contact regarding the NEPTS service for your organisation? Please provide name, position and contact details where possible.**

Garry East
Deputy Chief Operating Officer

We are unable to provide the contact details of staff as we consider this information to be exempt from release in accordance with section 44 of the Freedom of Information Act (Prohibition on disclosure) and would refer to the Privacy and Electronic Communications EC Directive Regulations 2003 which provide specific rules on electronic communication services, including marketing (by phone, fax, email or text) and keeping communications services secure. We will not provide any information that could result in the transmission of unsolicited communications which may place an unacceptable risk to our email network and could also have a detrimental impact on patient care and treatment.

The contact number for the Trust are accessible on the Trust website <http://www.esht.nhs.uk>.

This is an absolute exemption and there is, therefore, no requirement to consider the public interest.

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.

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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

Freedom of Information Department
esh-tr.foi@nhs.net