



Department of Health & Social Care

Freedom of Information Team
Department of Health and Social Care
39 Victoria Street
London SW1H 0EU

www.gov.uk/dhsc

Mr Robert Davidson,
Request-677499-4c8ff61f@whatdotheyknow.com

13 August 2020

Dear Mr Davidson,

Freedom of Information Request Reference FOI-1240120

Thank you for your request dated 16 July, in which you asked the Department of Health and Social Care (DHSC):

"I would like to make a FOI request regarding the purchasing practices for COVID-19/SARSCov2 testing kits, chemical reagents and equipment.

In light of recent and historic disclosures on Thermo Fisher's role in assisting the construction of a genomic surveillance program in China (working closely with the Chinese Police to specifically develop products used to identify the genotypes of Uyghur, Tibetan and Hui ethnic minorities), was this information about the business's role in China taken into account when deciding to give them the contract to supply the UK's coronavirus tests?

Further to this specific question can I also ask:

A. If these purchasing decisions took into account the ethical standing of the companies you were purchasing from or the country in which the company(s) is/are based or products manufactured?

B. If there is a formal policy that the government departments use to make such purchasing decisions generally and in this case? Please publish or direct me to those documents.

C. What was the specific total cost of this specific contract with Thermo Fisher for coronavirus testing kits, chemical reagents and equipment, and how many tests of each type (antigen, antibody) were purchased?"

Your request has been handled under the Freedom of Information Act (FOIA).

I can confirm that DHSC holds information relevant to your request.

Thermo Fisher is compliant and is on an existing PHE Framework. All appropriate due diligence was completed at the point of registration to the framework.

A. If these purchasing decisions took into account the ethical standing of the companies you were purchasing from or the country in which the company(s) is/are based or products manufactured?

The existing PHE Framework was identified as a compliant route to market – Thermo Fisher was shortlisted as the only supplier with the infrastructure already in place to deliver the National Testing Programme within the required timescales.

B. If there is a formal policy that the government departments use to make such purchasing decisions generally and in this case? Please publish or direct me to those documents.

A policy document can be found at:

<https://www.gov.uk/guidance/public-sector-procurement-policy>

C. What was the specific total cost of this specific contract with Thermo Fisher for coronavirus testing kits, chemical reagents and equipment, and how many tests of each type (antigen, antibody) were purchased?

We consider that this information is exempt under Section 43 of the Freedom of Information Act (FOIA), which exempts from the general duty to release information which would, or would be likely to, prejudice the commercial interests of any entity, including the public authority holding the information.

Section 43 is a qualified exemption and, as such, we are required to assess the public interest in withholding this information against that of its release.

The contract is non-binding for Her Majesty's Government and DHSC is able to consider alternative suppliers should they be able to provide a better commercial alternative.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of this letter and sent to FreedomOfInformation@dhsc.gov.uk, or to the address at the top of this letter.

Please remember to quote the reference number above in any future communication.

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

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

<https://ico.org.uk/concerns/>

Yours sincerely,

Jane Spencer
Freedom of Information Officer

FreedomOfInformation@dhsc.gov.uk