



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

Chandra Singh

By email to: request-881900-6f1bb900@whatdotheyknow.com

22 August 2022

Dear Chandra,

Freedom of Information Request Reference FOI-1413719

Thank you for your request dated 25 July to the Department of Health and Social Care (DHSC), a copy of which can be found in the accompanying annex.

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

DHSC holds information relevant to your request.

The disclosure of the costs of the NHS COVID Pass letter service is considered, at present, to be exempt under section 43 of the FOI Act. Section 43 provides that information is exempt if its disclosure would be likely to prejudice the commercial interests of any person.

Section 43 is a qualified exemption, therefore where section 43 is thought to apply, DHSC is required to consider whether the public interest in disclosure is outweighed by the public interest in applying the exemption. In this case, DHSC considers that while disclosure of the relevant information might add to public understanding and transparency of the tendering process, we take the view that there is a public interest in ensuring that providers are not deterred from bidding for healthcare contracts. Value for money in the commissioning of healthcare-related services largely depends on the existence of competition between providers.

DHSC considers in this instance that disclosure would be likely to prejudice the commercial interests of HH Associates Ltd. The contract with HH Associates Ltd is on a 'commercial in confidence' basis, and it contains commercially sensitive information which if released could inhibit the ability of HH Associates Ltd to do business in the future. As commissioners of health services, DHSC has a considerable commercial interest in ensuring that providers are not deterred from bidding for health service contracts.

Information is also being withheld under section 41 of the FOIA, under which a public authority is not obliged to disclose information which was provided to the public authority in confidence.

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 sent to freedomofinformation@dhsc.gov.uk or to the address at the top of this letter and be submitted within two months of the date 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.

Guidance on contacting the ICO can be found at <https://ico.org.uk/global/contact-us> and information about making a complaint can be found at <https://ico.org.uk/make-a-complaint>.

Yours sincerely,

Freedom of Information Team
freedomofinformation@dhsc.gov.uk

Annex

I also asked: 5. What is the cost to date for the entire covid pass letter service?

to which you replied:

We have considered your request for information, but we are unable to answer it without further clarification

I shall try rephrase question 5 in an unambiguous and explicit manner which will leave no doubt.

What has been the cost of issuing all covid pass letters to date? This should include letters in all formats i.e., audio, large print and brail and to include the cost of providing responses notifying of covid pass failure.'