

Our ref: CAS-258155-D8Z2P7
Date: 05 April 2023

Dear Trevor,

Re: Freedom of Information Request

Thank you for your request dated 13 March 2023 for information from NHS Blood and Transplant (NHSBT) as stipulated below:

- What are the contractual performance KPI's for this contract (s)?
- If a Framework was used to award this contract, which one was used?
- Suppliers who applied for inclusion on each framework/contract and were successful & not successful at the PQQ & ITT stages
- Actual spend on this contract, from the start of the contract to the current date
- Start date & duration of contract?
- Could you please provide a copy of the service/product specification given to all bidders for when this contract was last advertised?
- Is there an extension clause in the contract(s) and, if so, the duration of the extension?
- Has a decision been made yet on whether the contract(s) are being either extended or renewed?
- Who is the senior officer (outside of procurement) responsible for this contract?

Under the Freedom of Information Act (FOIA) 2000 NHSBT is obliged to:

- Let you know whether we hold the information you have requested
- Provide you with the requested information, if held, (subject to any exemptions under the Act which may apply).

I can confirm that NHSBT holds the information you have requested. However, part of the response is exempt under Section 21 and Section 43(2).

Section 21 of the Act removes the obligation to provide you with the information as it is reasonably accessible to you by other means. Section 21 is an absolute exemption meaning no public interest test is necessary.

Section 43 (2) Commercial Interests

FOIA is primarily concerned with disclosure of information to the public. Therefore, any release made under FOIA is a disclosure to the world and not just to the individual making the request. Under Section 43(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it). Section 43(2) is a qualified exemption and so a public interest test is required.

Factors in favour of disclosure

- General public interest in transparency.
- Disclosure of the information would increase the transparency of NHSBT's functions and decision-making process.

Factors in favour of maintaining the exemption

- It is more difficult to achieve value for money when awarding contracts, which would be contrary to public interest.
 - NHSBT argues that disclosure of the information would be likely to be detrimental to its ability to achieve best value for money in future negotiations in similar circumstances and that maintaining a fair and competitive market is in the interest of all parties, including the public.
 - There is a strong public interest in ensuring NHSBT is able to operate effectively and in a fair environment, and that there is fair competition for public sector purchases and contracts; as this in turn has an effect on the products/services available and ultimately patient care.
- What are the contractual performance KPI's for this contract (s)?

KPIs & Contractual performance are detailed in the Crown Commercial Service Postal Goods and Services (RM1063) Framework agreement.

Section 21: <https://assets.crowncommercial.gov.uk/wp-content/uploads/RM1063%20Customer%20guidance%20statement%20of%20requirements%20V1.pdf>
<https://assets.crowncommercial.gov.uk/wp-content/uploads/RM1063-Customer-guidance-direct-award-further-competition-V1.pdf>

- If a Framework was used to award this contract, which one was used?
Crown Commercial Service Postal Goods and Services (RM1063) Framework agreement
- Suppliers who applied for inclusion on each framework/contract and were successful & not successful at the PQQ & ITT stages

Section 43 (2)

5 x bids were received – 4 x suppliers were UNSUCCESSFUL & 1 x supplier was SUCCESSFUL.

Successful supplier was FP Mailing T/A Francotyp Postalia Ltd.

- Actual spend on this contract, from the start of the contract to the current date
£781,877
- Start date & duration of contract?
01/01/2019 - 4 years
- Could you please provide a copy of the service/product specification given to all bidders for when this contract was last advertised?
Attached document.
- Is there an extension clause in the contract(s) and, if so, the duration of the extension?
Yes, there is an extension clause, the duration of the extension is; 2 x 12 month extension options.
- Has a decision been made yet on whether the contract(s) are being either extended or renewed?

Yes - first 12-month extension option has been taken.

- Who is the **senior** officer (outside of procurement) responsible for this contract?
Ian Freestone – Assistant Director, Estates & Facilities

If you are dissatisfied with the response to your request, you can ask for a review of the handling of your request for information. Details of the complaint procedure are below:

Any person who has requested information from NHSBT, which has been dealt with under the FOIA is entitled to make a complaint and request an internal review of the handling of their request if they are dissatisfied with the response they have received. If you would like us to conduct such a review, as per guidance from the Information Commissioners Office (ICO) please contact us within forty working days of this letter. Please quote the reference number above in any future communications.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Dan Jeffery', written over a horizontal line.

Dan Jeffery
Deputy Senior Information Risk Officer (SIRO)

A handwritten signature in black ink, appearing to be 'Wayne Lawley', written over a horizontal line.

And

Wayne Lawley
Head of Corporate Communications

E-mail: FOI@nhsbt.nhs.uk