



## Department of Health

21/08/2014

DE00000877249

Dear Mr Woodcock,

Thank you for your request of 28 July 2014 under the Freedom of Information Act (2000). Your exact request was:

*"In the report "The dismantled National Programme for IT in the NHS"*

*([http://www.publications.parliament.uk/pa/cm201314/cmselect/cm/pubacc/294/294.pdf](http://www.publications.parliament.uk/pa/cm201314/cmselect/cm/294/294.pdf))*

*Tim Donohoe, Senior Responsible Owner for Local Service Providers at the Department of Health, is quoted talking with Mr Bacon MP as follows:*

- > Q21 Mr Bacon: When you say the original contract you don't mean the*
- > original contract as in the first contract. Originally they only had*
- > one contract, which was worth about £1 billion.*
- > Tim Donohoe: I am sorry.*
- > Mr Bacon: They ended up with three contracts, worth about £3 billion.*
- > Is it that you are saying is now worth*
- > £3.8 billion?*
- > Tim Donohoe: Yes, that is right*

*Could you please provide a copy of each of the three contracts (as mentioned here) that you made with CSC?"*

The three Local Service Provider contracts for the North, Midlands and East regions of England were discussed in the Public Accounts Committee hearing held on 12<sup>th</sup> June 2013. Subsequently, these contracts have been superseded.

The Department confirms that it holds the information related to your request, however, we consider that this information is exempt under Section 43 of the 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. We recognise a general public interest in making this information available for the sake of greater transparency and openness. However, the documents that you requested contain confidentiality provisions which preclude disclosure of CSC's confidential Information by the Department.

Commercial organisations entering into contracts with government bodies have a legitimate expectation that material such as financial information and structure of commercial terms (the disclosure of which is likely to be harmful and expose them to predatory behaviour from competitors) will be protected from disclosure. This must be particularly true where, as in this case, contractual assurances of confidentiality have been agreed between the parties.

The disclosure by public bodies of commercially sensitive or confidential information is likely to deter private contractors from contracting with public sector bodies and potentially expose the Department to punitive measures from the contractor for breach of contractual confidentiality obligations.

Therefore, we consider that releasing the information that you have requested would not be in the public interest.

If you have any queries about this email, please contact me. Please remember to quote the reference number above in any future communications.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Head of the Freedom of Information Team  
Department of Health  
Room 520  
Richmond House  
79 Whitehall,  
London  
SW1A 2NS

Email: [freedomofinformation@dh.gsi.gov.uk](mailto:freedomofinformation@dh.gsi.gov.uk)

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Department. The ICO can be contacted at:

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

Yours sincerely,

Danny Lamond

Freedom of Information Officer  
Department of Health

[freedomofinformation@dh.gsi.gov.uk](mailto:freedomofinformation@dh.gsi.gov.uk)