



**The Clatterbridge
Cancer Centre**
NHS Foundation Trust

Clatterbridge Road
Bebington
Wirral
CH63 4JY

Tel: 0151 556 5000
Web: www.clatterbridgecc.nhs.uk

Date: 17 September 2020

Re: Freedom of Information Request
Ref: 188-2020

Thank you for your email dated the 19th August, requesting information in relation to catering and vending services.

The information that you require is as follows:

I am writing to make an open government request for information relating to catering and vending services to which I am entitled under the Freedom of Information Act 2000.

Please answer the below questions:

Vending Services

- **Is the catering, retail catering and/or patient dining services on site out-sourced to any third-party soft facilities providers?**
Yes, these services are out-sourced to third party soft facilities providers
- **If out-sourced, please name the external supplier that provides these services, along with the contract start/end date?**

Clatterbridge Cancer Centre – Liverpool

ISS Patient Catering Service is in place at Trust's Liverpool site. The Contract start date was 1st April 2020 and is a 3-year contract.

There is currently a pop-up facility provided by Crackpot Catering Limited.

Blackburne House (Café) is due to open during Quarter 3, 2020

Clatterbridge Cancer Centre – Wirral

There is a Sandwich Service in place at the Wirral site, provided by Wirral University Teaching Hospital NHS Foundation Trust. The contract start date for the sandwich service on the Wirral site was 1st April 2018 and ends 31st March 2021.

There is an RVS service provided at both the Trust's Clatterbridge Cancer Centre – Wirral and Clatterbridge Cancer Centre – Aintree sites. These services are provided on a rolling basis via a Heads of Term Agreement.

- **Are the vending services on site managed by an external operated vending provider?**

Yes, vending services are managed by an external operated vending provider

- **If so, please provide details of the supplier of vending services along with details of contract start/end date.**

Clatterbridge Cancer Centre – Liverpool

The vending machine service is sub-contracted by ISS. The contract start date was April 2020 and is a 3-year contract.

Clatterbridge Cancer Centre – Wirral

The Alpine Vending Machines on the Wirral site were contracted from March 2019 and is a rolling contract with no end date

Clatterbridge Cancer Centre – Aintree

The Alpine Vending Machines on the Aintree site were contracted from August 2019 and is a rolling contract with no end date

- **Are all products provided through the vending machines fully compliant with CQUIN guidelines?**

Yes, all products provided through the vending machines fully compliant with CQUIN guidelines

- **Please provide a planogram of products currently for sale in the snack and cold drinks vending machines within the trust.**

Clatterbridge Cancer Centre – Liverpool

See Appendix A below

Clatterbridge Cancer Centre – Wirral & Clatterbridge Cancer Centre – Aintree

Section 43(1) – Trade Secrets of the Freedom of Information Act 2000 (“the Act”)

We have carefully considered your request but have concluded that we will not be able to provide you with the information you have requested and we will rely on the exemption under Section 43(1) – Trade Secrets of the Freedom of Information Act 2000 (“the Act”).

Section 43(1) of the Act provides that Information is exempt if it constitutes a trade secret. This exemption was considered by the Trust when deciding whether to disclose information because it considered that in doing so would disclose information that constitutes a trade secret of a third party.

We have considered whether the public interest in maintaining the exemption outweighs the public interest in disclosure.

Public Interest Test

Factors favouring disclosure

- The Trust recognises that there is a public interest in the disclosure of information which facilitates the accountability and transparency of public bodies for decisions

Factors in favour of non-disclosure

- The application of the Freedom of Information Act should not prejudice the fair operation of commercial markets and that suppliers should not face undue risks of harm from doing business with the NHS by disclosure of information.
- Releasing the information under the Freedom of Information Act, to which the Trust is subject, will give an unfair advantage to the supplier’s competitors
- Releasing the information would potentially create a lack of trust from current and future providers, thus restricting future competition for tenders which would prejudice the Trust’s ability to obtain best value and quality of service

Having carefully considered the public interest test we have concluded that there is a public interest in maintaining the exemption.

Taking the above into consideration, having applied the necessary, relevant test we are content that the requirements of the relevant test have been met and the application of the exemption under Section 43(1) is appropriate on this occasion.

- **The total number of vending machines currently on trust grounds split between specification of snacks, cold drinks, snack/cold drinks combi and hot beverages.**

Clatterbridge Cancer Centre – Liverpool

The Liverpool site has 1 x hot drinks machine and 1x cold drinks/ snacks combi.

Clatterbridge Cancer Centre – Wirral

The Wirral site has 1 x hot drinks, 1 x cold drinks/ snacks combi, 1 x cold drinks and 1x snacks machine

Clatterbridge Cancer Centre – Aintree

The Aintree site has 1 x Hot drinks machine.

- **The amount of NET revenue generated through the vending machines in the financial year 2019/20.**
- **The amount of rebate paid back to the trust as a result of vending machine sales in the financial year 2019/20.**
- **Total rebate paid back to trust as a result of vending sales in the past five years.**

Section 43(2) –Prejudice to commercial interests of the Freedom of Information Act 2000 (“the Act”)

For the three items above, we have carefully considered your request but have concluded that we will not be able to provide you with the

information you have requested and we will rely on the exemption under Section 43(2) – Prejudice to commercial interests of the Freedom of Information Act 2000 (“the Act”).

Section 43(2) of the Act provides that information is exempt from disclosure if the information would or would be likely to, prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity). One of the provisions of Section 43 relates to the disclosure of information where such disclosure might have an adverse effect on procurement and commercial interests of a third party.

The Trust, as a public body is mindful that in order to engage this exemption we must demonstrate that disclosure of the information would, or would be likely to, prejudice or harm the commercial interests of any person (this can include the public authority holding it).

The term “would ...prejudice” has been defined as it is more likely than not to occur whereas “would likely....prejudice” is a lower threshold. The Trust has applied the prejudice test under Section 43 and we are content that the requirements of the test have been met.

Having reached the conclusion that the prejudice test has been met, we have also considered whether the public interest in maintaining the exemption outweighs the public interest in disclosure.

Public Interest Test

Factors favouring disclosure

- The Trust recognises that there is a public interest in the disclosure of information which facilitates the accountability and transparency of public bodies for decisions

Factors in favour of non-disclosure

- The application of the Freedom of Information Act should not prejudice the fair operation of commercial markets and that suppliers should not face undue risks of harm from doing business with the NHS by disclosure of information.
- By disclosing the financial information to parties external to those that are contracted it could carry the risk that the providers could cease to offer these services disadvantaging our patient and staff population

- **Disclosure of the information would restrict the submission of truly competitive bids in future tender processes and impact on the Trust's ability to obtain best quality of service through fair competition.**

Having carefully considered the public interest test we have concluded that there is a strong public interest in maintaining the fair and proper operation of commercial markets for both suppliers and the Trust.

Taking the above into consideration, having applied the necessary, relevant tests we are content that the requirements of all necessary and relevant tests have been met and the application of the exemption under Section 43(2) is appropriate on this occasion.

- **The amount of NET revenue generated through the vending machines in the financial year 2018/19.**
As the vending machines were introduced in 2019, there is no figure for financial year 2018/19
- **The amount of rebate paid back to the trust as a result of vending machine sales in the financial year 2018/19.**
As the vending machines were introduced in 2019, there is no figure for financial year 2018/19

Tabletop Coffee/Hot Beverage Machines

- **Does the Trust own/rent Tabletop Coffee/Hot Beverage machines for its dining areas?**
No, the Trust does not own/rent Tabletop Coffee/Hot Beverage machines for its dining areas
- **If the Trust own/rent Tabletop Coffee/Hot Beverage machines please can you provide the age/contractual term for these and list make/manufacture?**
Not Applicable, see above
- **Can you please provide details as to who supplies the Coffee/Ingredients for the aforementioned machines?**

Not Applicable, see above

Ward Beverage Trolleys

- **Does the Trust use a ward beverage trolley service to serve hot beverages to in-patients throughout the trust?**

Yes, only at the Clatterbridge Cancer Centre - Liverpool site

- **If so, please provide details of the number of ward beverage trolleys on site along with details of the equipment provider and any contractual obligations currently in place including contract start/end date?**

There are two ward beverage trolleys on our Liverpool site, for the inpatients. This service is provided by ISS and the contract started April 2020 and is a 3-year contract.

- **What department within the trust manages the above contracts and who within the trust is the key point of contact for the above contracts?**

PropCare/ Soft FM Contracts Manager: ccf-tr.propcare-estates@nhs.net

Should you require any further information please do not hesitate to contact me on the email address provided below.

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 this to be investigated internally.

If you are dissatisfied with the information you have received, you have the right to ask for an internal review.

Both processes will be handled in accordance with our Trust's Freedom of Information Policy and the Freedom of Information Act 2000.

Internal investigation and 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: Freedom of Information Review, The Clatterbridge Cancer Centre NHS Foundation Trust, Clatterbridge Road, Bebington, Wirral, CH63 4JY































If you are not satisfied with the outcome of the internal investigation/review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Appendix A

CM40 Healthier Choice Range

							
Walkers Baked Sea Salt 86304		Walkers Baked Sea Salt 86304		Walkers Baked Cheese & Onion 86306		Walkers Baked Cheese & Onion 86306	
							
Walkers Baked Salt & Vinegar 86303		Walkers Baked Salt & Vinegar 86303		Walkers Fusions Cheddar & Red Pepper 91521		Walkers Fusions Spicy Tomato 91522	
							
TREK Protein 50055	Eat Natural Apricot 98212	Cranberry Raw Nuts 79066	Twirl 97023	Cranberry Yoghurt Raisins 79067	Nakd Berry Delight Bar 97070	Nakd Cocoa Orange Bar 97072	Belvita Honey & Nuts 98677
							
Twix 90325	BOKA Strawberry Cereal Bar 50053	BOKA Caramel Cereal Bar 50052	Kit Kat 97730	Cranberry Mango Chunks 79062	Eat Natural Fruits & Fibre Bar 98216	Bueno 90303	Cranberry mixed Fruit & Nuts 79063
							
Ballygowan 98071	Ballygowan 98071	Ballygowan 98071	Ballygowan 98071	Juice Burst Orange 330ml 89379	Juice Burst Orange 330ml 89379	Juice Burst Apple 330ml 89378	Juice Burst Apple 330ml 89378
							
Diet Coke 500ml 97901	Diet Coke 500ml 97901	Sparkling Ice black raspberry 500ml 89375	Sparkling Ice black raspberry 500ml 89375	Pepsi Max Cherry 600ml 97335	Coke Zero Bottle 500ml 50523	Pepsi Max 600ml 97339	Pepsi Max 600ml 97339

CF36 Healthier Choice Range

							
Walkers Baked Sea Salt 86304		Walkers Baked Sea Salt 86304		Walkers Baked Cheese & Onion 86306		Walkers Baked Cheese & Onion 86306	
							
Walkers Baked Salt & Vinegar 86303		Walkers Baked Salt & Vinegar 86303		Walkers Fusions Cheddar & Red Pepper 91521		Walkers Fusions Cheddar & Red Pepper 91521	
							
Walkers Fusions Spicy Tomato 91522		Walkers Fusions Spicy Tomato 91522		Wild West Beef Jerky 97193		Crunchers Smokehouse 88913	
							
Twirl 97023	TREK Protein 50055	Eat Natural Apricot 98212	Eat Natural Apricot 98212	Nakd Berry Delight Bar 97070	Bueno 90303	Nakd Cocoa Orange Bar 97072	Kit Kat 97730
							
Cranberry Raw Nuts 79066	Cranberry Raw Nuts 79066	Cranberry Yoghurt Raisins 79067	Cranberry Yoghurt Raisins 79067	Belvita Honey & Nuts 98677	Belvita Honey & Nuts 98677	BOKA Strawberry Cereal Bar 50053	BOKA Strawberry Cereal Bar 50053
							
BOKA Caramel Cereal Bar 50052	BOKA Caramel Cereal Bar 50052	Sugar Free Fruit Gums 89374	Twix 90325	Skittles 97172	Cranberry Mango Chunks 79062	Eat Natural Fruits & Fibre Bar 98216	Snickers 97791

CB45 Healthier Choice Range

								
Ballygowan 98071	Ballygowan 98071	Ballygowan 98071	Ballygowan 98071	Ballygowan 98071	Ballygowan 98071	Ballygowan 98071	Ballygowan 98071	Ballygowan 98071
								
Ballygowan 98071	Ballygowan 98071	Juice Burst Orange 330ml 89379	Juice Burst Orange 330ml 89379	Juice Burst Apple 330ml 89378	Juice Burst Apple 330ml 89378	Irn Bru Xtra 500ml 97386	Irn Bru Xtra 500ml 97386	Red Bull Sugar Free 250ml 89377
								
Diet Coke can 330ml 97599	Diet Coke can 330ml 97599	Diet Coke can 330ml 97599	Diet Coke can 330ml 97599	Diet Coke can 330ml 97599	Diet Coke can 330ml 97599	Coke Zero can 330ml 85266	Coke Zero can 330ml 85266	Coke Zero can 330ml 85266
								
Diet Coke 500ml 97901	Diet Coke 500ml 97901	Diet Coke 500ml 97901	Diet Coke 500ml 97901	Sparkling Ice black raspberry 500ml 89375	Sparkling Ice black raspberry 500ml 89375	Pepsi Max 600ml 97339	Pepsi Max 600ml 97339	Pepsi Max Cherry 600ml 97335
								
Pepsi Max Can 330ml 97684	Pepsi Max Can 330ml 97684	Pepsi Max Can 330ml 97684	Pepsi Max Can 330ml 97684	Britvic Orange Juice can 330ml 97564	Britvic Orange Juice can 330ml 97564	Pepsi Max Can 330ml 97684	Pepsi Max Can 330ml 97684	Pepsi Max Can 330ml 97684

All juices are no added sugar.