



**The Clatterbridge
Cancer Centre**
NHS Foundation Trust

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Date: 5 July 2021

Re: Freedom of Information Request
Ref: 176-2021

Thank you for your email dated the 18th June 2021, requesting information in relation to Telecommunications.

The information that you require is as follows:

Topic	Queries	Hospital Response:
LAN	What solutions do you have in place? Who is the incumbent and when does their contract expire? Can we see a copy of their contract and tender response?	The Trust has a Cisco local area network in place, managed in-house with maintenance and support provided by CDW Ltd. Several contracts in place expiring mid-2022, no tender responses, contracts acquired by Direct Award through CCS Framework. Copy of the contract - ** Exempt under Section 43(2): Commercial Interests
WLAN	What solutions do you have in place? Who is the incumbent and when does their contract expire? Can we see a copy of their contract and tender response?	The Trust has a Cisco Wireless network in place, managed in-house with maintenance and support provided by CDW Ltd. Several contracts in place

		<p>expiring mid-2022, no tender responses, contracts acquired by Direct Award through CCS Framework</p> <p>Copy of the contract - ** Exempt under Section 43(2): Commercial Interests</p>
WAN	<p>What solutions do you have in place? Who is the incumbent and when does their contract expire? Can we see a copy of their contract and tender response?</p>	<p>The Trust has Several Wide Area Network Circuits in place with maintenance and support provided by Virgin and BT, no tender responses, contracts acquired by Direct Award through CCS Framework</p> <p>Copy of the contract - ** Exempt under Section 43(2): Commercial Interests</p>
Telephony	<p>What solutions do you have in place? Who is the incumbent and when does their contract expire? Can we see a copy of their contract and tender response?</p>	<p>The Trust has a Cisco IP Telephony system in place, managed in-house with maintenance and support provided by CDW Ltd. Contract in place expiring mid-2022, no tender responses, contracts acquired by Direct Award through CCS Framework</p> <p>Copy of the contract - ** Exempt under Section 43(2): Commercial Interests</p>
Lines and calls – ISDN/SIP	<p>What solutions do you have in place? Who is the incumbent and when does their contract expire? Can we see a copy of their contract and tender</p>	<p>The Trust has two SIP Circuits both with Virgin, ISDN back up provided by Colt, outgoing calls provided through Gamma, no tender responses,</p>

	response?	<p>contracts acquired by Direct Award through CCS Framework</p> <p>Copy of the contract - ** Exempt under Section 43(2): Commercial Interests</p>
Pager Solutions	<p>What solutions do you have in place? Who is the incumbent and when does their contract expire? Can we see a copy of their contract and tender response? When do you plan to replace your pagers with a Digital Solution?</p>	<p>The Trust has a pager solution from Stanley Security Systems Ltd</p> <p>The contract expires in 2025</p> <p>Copy of the contract - ** Exempt under Section 43(2): Commercial Interests</p> <p>No plans to replace as the solution has digital capabilities</p>

**** Section 43(2): Commercial Interests**

We have carefully considered your request and although we hold the information we 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 own commercial interests.

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 in favour of 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

- **There is a public interest in the Trust being able to work within competitive markets where that results in a financial or resource benefit.**
- **Releasing the information would potentially create a lack of trust from current and future providers, thus restricting future competition 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 strong public interest in maintaining the fair and proper operation of commercial markets for both the suppliers and the Trust.

Taking the above into consideration, having applied the necessary, relevant tests and taking all the current circumstances into consideration 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.

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.