

Maidstone and 
Tunbridge Wells

NHS Trust

Ref: FOI/GS/ID 4606

Please reply to:
FOI Administrator
Trust Management
Maidstone Hospital
Hermitage Lane
Maidstone
Kent
ME16 9QQ

Email: mtw-tr.foiadmin@nhs.net

05 April 2018

Freedom of Information Act 2000

I am writing in response to your request for information made under the Freedom of Information Act 2000 in relation to the Tender for the provision of Stoma Care Services Reference DN289588.

You asked:

Please provide the following information which refers to: Tender for the provision of Stoma Care Services Reference DN289588

Information request 1 – Please supply all documentation relating to all shortlisted suppliers for the above tender – to include scoring matrixes, evaluation material, criteria and weightings given along with panel member notes.

Information request 2 – Please supply all documentation relating to our specific bid for the above tender – to include scoring matrixes, evaluation material, criteria and weightings given along with panel member notes.

Trust response:

Further to your telephone conversation with the Trust Procurement Department for clarification on your FOI request, it has been confirmed that you have already received the respective scores, comments and weightings of your bid along with those of the winning bidder. You therefore confirmed that the only additional information you require is the respective scores and comments of the other three unsuccessful bidders.

The Trust is applying Section 43(2) FOIA which provides an exemption from disclosure of information which would or would be likely to, prejudice the commercial interests of any person (including the public authority holding it). This is a qualified exemption, and is therefore subject to the public interest test.

The Trust believes that the information requested contains details which would be likely to damage the companies ability to win new business opportunities for their services and to perform them within a commercially competitive market because other contracting authorities and competitors

would be aware of the strengths and weaknesses of its delivery model and methodology.

The Trust also believes that the disclosure of scoring information would provide competitors with an insight into their relative strengths and weaknesses and this would give them a commercial advantage, to the detriment of the companies concerned as this would be likely to prejudice their position in any future tendering opportunity.

The Trust has concluded that the public interest in maintaining the exemption, and therefore protecting the commercial interests of the suppliers and preserving its ability to compete fairly in a commercial market, outweighs the public interest in disclosure in this case.