

Title

Prosthetic & Orthotic Services

Reference Number: RDF1781-23

Date of Response: 11/10/2023

Further to your Freedom of Information Act request, please find the Trust's response(s) below:

Please be aware that the Royal Devon University Healthcare NHS Foundation Trust (Royal Devon) has existed since 1st April 2022 following the integration of the Northern Devon Healthcare NHS Trust (known as Northern Services) and the Royal Devon and Exeter NHS Foundation Trust (known as Eastern Services).

1. **Does your Trust provide in-house prosthetic and / or orthotic services?** No, this is provided by Opcare. The contract is overseen by the Trust. Prosthetics rehabilitation is provided in-house by the NHS (Physio and OT).
2. **Please specify if this is a combined prosthetics and orthotics service, or just prosthetics or orthotics.** Eastern Service - See above., Opcare provide the service for GP referrals.
Northern Service - Consultant referrals provided via Daceys.

If not, which organisation(s) currently provide prosthetic and orthotic services to your Trust? If multiple providers are used, please clarify what area / services each provider covers. Combined.

3. **What is the total annual spend for the following years (2019,2020,2021,2022,2023) on?**
 - a. **prosthetics (products and services)**

3a Northern locality prosthetics (products and services)

Section 12 - Cost of Compliance The Trust applies Section 12 of the Freedom of Information Act. Under the Freedom of Information Act 2000 Section 12(1). Please see full Exemption on page 5.

3 a. Eastern locality - prosthetics (products and services):

Prosthetics has been a managed service during the whole period requested (2019,2020,2021,2022,2023). Under Section 17 of the Act. The following exemption has been applied:

Section 43 (2) - Commercial Interests –

The Trust holds this information. This information is commercially sensitive, and its release would or would be likely to prejudice the commercial interests of the Trust. Please see below for full exemption. Please see full Exemption on page 5.

Question 3 b What is the total annual spend for the following years (2019,2020,2021,2022,2023) on? orthotics (products and services)

3b Northern locality: -orthotics (products and services): (2019,2020,2021,2022,2023).

For the dates the information has been requested (above) The Northern service would have been working different ledgers than the Eastern service and each system would have a different way of pulling out the information.

For the Northern service to ascertain all information requested, would require Trust staff to pull out just the costs. This would mean going through everything single invoice to determine what exactly the costs are for and may include a couple of ad-hoc purchases that do not relate. We estimate in all instances this far exceeds the cost limit.

As such the Trust applies the following exemption to this question:

Section 12 - Cost of Compliance The Trust applies Section 12 of the Freedom of Information Act. Under the Freedom of Information Act 2000 Section 12(1) Please see full Exemption on page 5.

3 b. Eastern locality - orthotics (products and services) - **Period 19/20:-**

Section 43 (2) - Commercial Interests. The Trust holds this information. This information is commercially sensitive, and its release would or would be likely to prejudice the commercial interests of the Trust. Please see full Exemption on page 5.

Question 3c if this is not possible, please provide total spend on prosthetics and orthotics (products and services)

3 c Northern locality - for all periods requested 2019,2020,2021,2022,2023).
Section 12 - Cost of Compliance

The Northern service is unable to respond to this question. The Northern locality would have been working different ledgers than the Eastern service and each system would have a different way of pulling out the information for the dates the information has been requested (above)

To ascertain all information requested, for the Northern Services this would require Trust staff to pull out just the costs. This would mean going through everything single invoice to determine what exactly the costs are for and may include a couple of ad-hoc purchases that do not relate. We estimate in all instances this far exceeds the cost limit.

As such the Trust applies Section 12 of the Freedom of Information Act. Under the Freedom of Information Act 2000 Section 12(1) and defined in the Freedom of Information and Data Protection (Appropriate Limit and Fees) .

3 c Eastern locality for Period 19/20 - £882,726

Orthotics has been a managed service during the latter 4 years of the period requested. For Period 2021,2022,2023 Under Section 17 of the Act, the following exemption has been applied:

Section 43 (2) - Commercial Interests

The Trust holds this information.

This information is commercially sensitive, and its release would or would be likely to prejudice the commercial interests of the Trust. Please see full exemption on page 5.

4. If using a third-party provider, when did the current prosthetic and / or orthotic contract(s) start and what is the contract end date? Please include any information on contract extension.

The Northern contract for orthotic services started 1st September 2023 and ends 31st August 2024.

The Eastern contract for the orthotics and prosthetics managed service started in financial year 2020/21 and end date is 31.3.27 with an option to extend by 3 years if agreed by both parties.

Full exemptions:

Section 12 - Cost of Compliance

The Trust applies Section 12 of the Freedom of Information Act. Under the Freedom of Information Act 2000 Section 12(1) and defined in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, a public authority is not obliged to comply with a request for information if it estimates that the cost of complying would exceed the appropriate limit. The limit of £450 represents the estimated cost of one person spending two and a half days in determining whether the Trust holds the information, locating, retrieving, and extracting that information.

To ascertain all information requested, would require Trust staff to pull out just the costs. This would mean going through everything single invoice to determine what exactly the costs are for and may include a couple of ad-hoc purchases that do not relate. We estimate in all instances this far exceeds the cost limit.

Section 43 (2) - Commercial Interests

The Trust holds this information.

This information is commercially sensitive, and its release would or would be likely to prejudice the commercial interests of the Trust.

In applying the exemption under Section 43(2) the Freedom of Information Act the Trust has balanced the public interest in withholding the information against the public interest in disclosure. The Trust has considered all the relevant factors in the public interest test and concluded that the benefit to the public in applying the exemption outweighs the public interest in releasing the information requested as a result of the prejudices and losses that would potentially affect the Trust and patients. As such this information is being withheld under Section 43 (2).

Public Interest Test (PIT) - Non- Disclosure:

The Trust cannot reveal the contract value with the external Prosthetic and Orthotic provider as the information if given combined with the other contract information supplied would give sufficient information in many cases provide competitors with a benchmark to beat competitive tendering. This would give potential suppliers an unfair advantage over other bidders when bidding for a future service. That advantage would contravene the principle of fairness required from the Trust by the Public Contracts Regulations 2015.

Public Interest Test (PIT) – For Disclosure

The Trust understands the need for openness and accountability for tender processes and price, and it recognises the need for value of money.