

3 February 2017

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London SE1 8UG

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By email only

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Dear ██████████

Request under the Freedom of Information Act 2000 (the “FOI Act”)

I refer to your email of **6 January 2017** in which you requested information under the FOI Act from the NHS Improvement. Since 1 April 2016, Monitor and the NHS Trust Development Authority (‘the TDA’) are operating as an integrated organisation known as NHS Improvement. For the purposes of this decision we have indicated whether the information provided relates to Monitor and/or the TDA.

Your request

You made the following request:

“I am writing to you under the Freedom of Information Act 2000 to request the following information from Finance (Accounts Receivable/Payable) and IT (Information Technology):

- *Who provides the organisations BACS payments and Direct Debit collection software?*
- *Please provide a list of your suppliers of the above software.*
- *How you came to the decision to choose these companies?*
- *Are these solution(s) hosted on premise or cloud hosted?*
- *Please provide expenditure on computer software used for Bacs payment processing and Direct Debit collection. For financial years 2014/2015 and 2015/2016.*
- *When does your current contract(s) with BACs payment and direct debit collection software expire?*

- *Will this service(s) be tendered and if so where?*
- *What is the total value of your current BACS payment and Direct Debit collection software contract(s) and over what period?*
- *With whom does the organisation hold its primary bank account?*
- *Does the organisation, acting as a Bureau, provide Bacs processing on behalf on any other organisation?*
- *What payments types does the organisation use? (e.g Bacs (Direct Credit), Direct Debit, Faster Payments, etc.).*
- *Who is the person responsible for BACS processing and Direct Debit collection software?*
 - *Name*
 - *Position*
 - *Telephone Number*
 - *Email*

Please provide the information below each question, signifying your response(s) by a change of font or highlighted text, spaced between other questions.

If it is not possible to provide the information requested due to the information exceeding the cost of compliance limits identified in Section 12, please provide advice and assistance, under your Section 16 obligations, as to how I can refine my request to be included in the scope of the Act.

In any case, if you can identify ways that my request could be refined please provide further advice and assistance to indicate this. I look forward to your response within 20 working days, as stipulated by the Act.”

Decision

NHS Improvement holds the information that you have requested.

NHS Improvement has decided to withhold some of the information that it holds on the basis of the applicability of the exemptions in section 40 of the FOI Act as explained in detail below.

As requested, the information provided to you has been set out in Annex 1, as responses underneath each of your questions, which for ease of reference have been numbered.

Section 40 – personal information

Under section 40 of the FOI Act, information is protected from disclosure if it is personal data protected under the Data Protection Act 1998 (“the DPA”). Section 40(7) of the FOI Act

provides that the relevant definition of personal data is that set out at section 1(1) of the DPA:

“personal data” means data which relate to a living individual who can be identified-

(a) from those data, or

(b) from those data, and other information which is in the possession of, or is likely to come into the possession of, the data controller,

and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

Some of the information requested is being withheld from disclosure under section 40(2) of the FOI Act on the grounds that it amounts to personal data and the first and/or second condition under section 40(3)(a) is satisfied, namely, that disclosure would amount to a breach of the first data protection principle (personal data should be processed fairly and lawfully) and/or is likely to cause damage or distress, which would be unwarranted.

The information requested contains personal details of employees of NHS Improvement who would have a reasonable expectation that their information would be withheld. This is an absolute exemption and consideration of the public interest in disclosure is not required.

Review rights

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within NHS Improvement of the issue or the decision. A senior member of NHS Improvement's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, NHS Improvement, Wellington House, 133-155 Waterloo Road, London SE1 8UG or by email to nhsi.foi@nhs.net.

Publication

Please note that this letter will shortly be published on our website. This is because information disclosed in accordance with the FOI Act is disclosed to the public at large. We will, of course, remove your personal information (e.g. your name and contact details) from the version of the letter published on our website to protect your personal information from general disclosure.

Yours sincerely,



Steven Murray
Chief Financial Accountant

Annex 1

1. Who provides the organisations BACS payments and Direct Debit collection software?

Monitor: Up to January 2017 Albany software was provided by Bottomline Technologies. From January 2017: NHS Shared Business Services ('NHS SBS').

TDA: NHS Shared Business Services.

2. Please provide a list of your suppliers of the above software.

Monitor: Bottomline Technologies, NHS SBS

TDA: NHS SBS.

3. How you came to the decision to choose these companies?

Monitor: Bottomline supplied Monitor for a number of years; this was chosen as the best value solution. The move to NHS SBS was considered as part of the creation of NHS Improvement in 2016.

TDA: As part of the formation of the NHS Trust Development Authority in April 2013.

4. Are these solution(s) hosted on premise or cloud hosted?

Monitor: Albany is premise hosted; SBS is web-based.

TDA: NHS SBS is web-based.

5. Please provide expenditure on computer software used for Bacs payment processing and Direct Debit collection. For financial years 2014/2015 and 2015/2016.

Monitor:

2014/15: £686.11

2015/16: £793.07

TDA: included within the service provided by NHS SBS.

6. When does your current contract(s) with BACs payment and direct debit collection software expire?

Monitor: The contract with NHS SBS expires December 2021.

TDA: The contract with NHS SBS expires January 2018.

7. Will this service(s) be tendered and if so where?

Monitor: The procurement of a new service or extension will adhere to NHSI procurement policy; normally procured through appropriate framework agreements.

TDA: as above.

8. What is the total value of your current BACS payment and Direct Debit collection software contract(s) and over what period?

Monitor: The cost of the payment software cannot be disaggregated from the overall NHS SBS service charge.

TDA: as above

9. With whom does the organisation hold its primary bank account?

Monitor: Government Banking Service

TDA: as above

10. Does the organisation, acting as a Bureau, provide Bacs processing on behalf on any other organisation?

Monitor: No

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TDA: as above.

11. What payments types does the organisation use? (e.g Bacs (Direct Credit), Direct Debit, Faster Payments, etc.).

Monitor: BACS, Direct Debit, faster payments, CHAPS and cheque.

TDA: as above.

12. Who is the person responsible for BACS processing and Direct Debit collection software?

- a. Name**
- b. Position**
- c. Telephone Number**
- d. Email**

Monitor: Chief Financial Accountant.

TDA: Financial Controller.