



Ministry of Defence

Headquarters Surgeon General Secretariat
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25 September 2015

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The Ministry of Defence (MOD) wrote to you on 25 August 2015 providing information in response to your Freedom of Information Act (FOIA) request of 29 July 2015 about SSAFA-GSTT Healthcare.

You had also asked had asked for "the annual cost to the Ministry of Defence for the contract with SSAFA-GSTT Healthcare for the provision of healthcare to Ministry of Defence personnel and their dependents based in Germany, The Netherlands and other relevant countries in Europe".

While the MOD advised you that the total cost of the Contract was a matter of public record, it also advised you that the annual costs might be exempt from disclosure under Section 43 (Commercial Interests) exemption of the FOI Act. This provides that information is exempt if it would prejudice the commercial interests of any person, including the authority holding. As this exemption is subject to the balance of the public interest more time was required to consider this and the MOD advised you that it would write to you again with its decision within 20 working days.

It has now been concluded that this information is exempt from disclosure under Section 43 of the FOIA. In making this decision the MOD has considered the public interest in the way tax-payer's money is spent and that value for money is achieved by Government departments in commercial arrangements. In this regard, to provide the annual costs of this particular contract would be of some public interest.

However, disclosing information under the FOIA is considered to be placing that information into the public domain and making public the annual costs of this Contract would likely prejudice the commercial interests of the MOD. It would reveal to the market the amount that the MOD is willing to pay for these services and this could limit the best price that could be achieved for the tax-payer in future competitions for similar services and this would not be in the public interest.

Further, disclosing this information would be likely to prejudice the interests of the contractor, as it considers this information commercially sensitive. Should it be known that MOD puts such commercially sensitive information into the public domain, it could deter this and other companies from bidding for future contracts with the MOD. This could limit future competition and therefore the best price that could be achieved for the tax-payer. This would also not be in the public interest.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact the Headquarters of the Surgeon General in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Deputy Chief Information Officer, 2nd Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the FOIA. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

Headquarters of the Surgeon General