

Freedom of Information (Scotland) Act 2002
Environmental Information (Scotland) Regulations 2004

Date received	09/12/22	Subject	Payment Data	
Date passed	09/12/22	Respond by	05/12/22	
Passed to	Finance		FOI number	2022-574
Category of information requested	Financial Management – Procurement			

Question/s to be answered

I am contacting you at NHS Shetland to request payment data.

1. I am requesting information on all payments to external suppliers for purchases of goods and services between 2021-01-01 and 2021-12-31.

What is requested is a list of these payments, ideally in Microsoft Excel format, which contains as much of the following information for each payment as possible:

Supplier name

Amount paid, excluding VAT

Payment date (or some other relevant transaction date)

A unique invoice-id or a transaction-id number for each payment.

Some description of the nature of the expense

I am not asking you to do manual time consuming compiling. I am only asking for an extract from your accounting software with as much of the above stated information as you can conveniently and reasonably provide.

[See attached spreadsheet](#)

With regards to the supplier name then in accordance with FOISA s 16(1), NHS Shetland confirms that it holds the information requested but that it is exempt from disclosure under FOISA s 33(1)(b) as the disclosure would, or would be likely to, result in substantial prejudice to the commercial interests of NHS Shetland's external suppliers.

This exemption applies as revealing the names of NHS Shetland's external suppliers on a per payment basis in conjunction with a description of the nature of the expense would disclose pricing information of specific NHS Shetland contracts. This would be likely to result in substantial prejudice to NHS Shetland's external suppliers as other customers of said suppliers could use the NHS Shetland pricing information in renegotiation/renewal of their contracts with said provider to negotiate terms that are less favourable to said suppliers commercial interests.

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Whilst acknowledging the general public interest in the disclosure of information by public authorities on balance the public interest in maintaining the exemption outweighs that of disclosure. This is due to the public interest in public bodies being able to negotiate contracts with more favourable pricing structures than that of the suppliers other customers. Also in considering the passage of time this relates to recent information where commercial sensitivity is higher.

Additionally the public interest in ensuring competitive tending process is against disclosure as firms would be discouraged from bidding for future tenders if pricing information could be revealed whilst it is still commercially sensitive.

Furthermore the public interest in ensuring oversight of expenditure of public funds is still served by the information released as information on NHS Shetland expenditure on various categories of goods and services is being released.