

**Freedom of Information Request**

**Ref: 24-645**

15 August 2024

By Email

Dear Sir/Madam

Thank you for your request for information under the Freedom of Information Act 2000. The Trust's response is as follows:

- We can confirm that we do hold the information you are requesting

**1. Are performance-based contracts being utilized in the broadly defined healthcare sector in your entity? Timespan: no limit**

Yes, but not linked to additional performance payments to a supplier.

**2. If so, what specific cases of such contracts can be identified?**

Across multiple area including managed service contracts, managed equipment services general services and goods.

**3. Will the number of such contracts increase, decrease, or remain the same in the future?** Likely to increase with new procurement regulations requiring measurement of supplier KPIs

**4. Have there been any legal proceedings or court rulings related to such contracts?**

None relating to the contracts we support.

**5. If so, what specific cases of such legal proceedings or court rulings can be identified?**

Not applicable

**6. Do these contracts improve the quality of healthcare services? I do not mean here opinion but rather objective report/feedback/study.**

This is not directly measured.

**7. Are such contracts positively evaluated? I do not mean here opinion but rather objective report/feedback/study.**

These are not directly evaluated.

**8. Are these contracts available for analysis? I would like to analyse above all the specific Performance Indicators used in these contracts.**

This is commercially sensitive information and will not be shared at an organisational level.

**Section 43** of the FOI Act provides that information is exempt if its disclosure would, or would be likely to prejudice the commercial interests of any person. Therefore we are withholding this information at this time.

**9. Is there any specific legislation that provides the legal basis for entering into such contracts for healthcare services? In other words, what is the legal basis for entering into such contracts in the healthcare sector?**

Contracting follows current PCR2015 and PSR regulations

This concludes our response. We trust that you find this helpful, but please do not hesitate to contact us directly if we can be of any further assistance.

If, after that, you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Data Protection Officer  
University Hospitals Bristol and Weston NHS Foundation Trust  
Trust Headquarters  
Marlborough Street  
Bristol  
BS1 3NU

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Publication

Please note that this letter and the information included/attached will be published on our website as part of the Trust's Freedom of Information Publication Log. This is because information disclosed in accordance with the Freedom of Information Act is disclosed to the public, not just to the individual making the request. We will remove any personal information (such as your name, email and so on) from any information we make public to protect your personal information.

To view the Freedom of Information Act in full please click [here](#).

Yours sincerely

**Freedom of Information Team**  
**University Hospitals Bristol and Weston NHS Foundation Trust**