

**Request for information under the Freedom of Information Act – 2019.194
Released – 2 August 2019**

Thank you for your email received 8 July 2019 requesting information regarding interpreting services.

Please find detailed below a summary of your request, together with our response.

Summary of your original request:

Please can you provide financial information relating to the:

- **total cost of interpreting services in the last 2 years and the number of requests made**
- **total cost of translation services in the last 2 years and the number of requests made**
- **total cost of BSL interpreting in the last 2 years and the number of requests made**

At this time we are unable to provide a response to this part of your request as this service is currently part of a tender process and we are currently awaiting contracts to be signed. If we were to release this information it would likely prejudice the commercial interests of the Trust and that of the providers of these services. This information is therefore exempt from disclosure by virtue of section 43(2) of the Freedom of Information Act 2000, Commercial Interests.

Section 43(2) is a qualified and prejudice-based exemption which requires that I provide evidence of harm in disclosure and a public interest test. I have included the relevant part of this exemption and the evidence of harm and public interest test below.

Section 43 – Commercial Interests

(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

Evidence of Harm

Disclosure of the information requested would be likely to damage the commercial interests of both the Trust and providers of these services as it would assist competitors by providing information that may assist them during the tender process for the provision of these services.

Public Interest Test

Factors Favouring Disclosure

The disclosure of the information requested would contribute towards the aims of openness and accountability which the Freedom of Information Act promotes. It would also show that there is transparency in the use of public funds and that public money is being used effectively.

Chairman John Goulston Chief Executive Paul Bentley

Trust HQ The Oast, Unit D, Hermitage Court, Hermitage Lane, Barming, near Maidstone, Kent ME16 9NT

Factors Favouring Non-Disclosure

To release information relating to the existing service provider would weaken both their position and that of the Trust in a competitive environment by revealing market-sensitive information or information of potential usefulness to competitors.

The provision of the information requested would be likely to prejudice the commercial interests of the Trust during a tendering process which would result in the less effective use of public money.

Balancing Test

Whilst we note that the provision of the information requested would ensure that we remain open and accountable, this is outweighed by the need for the Kent Community Health NHS Foundation Trust to remain competitive with regards to tenders and commercial activity and to protect the commercial interests of the Trust and of those who provide services to the Trust.

I have therefore determined that the public interest in maintaining the exemption at section 43(2) outweighs that in disclosure and, in accordance with section 17(1) of the Act, this information is exempt.

I would also be grateful if you could provide us with information that includes:

- ***Hourly cost of face to face interpreting services*** £45.00
- ***Cost per minute of telephone interpreting services*** £0.65 per minute
- ***Breakdown of the top 10 most popular languages***

Face to face interpreting

Bengali
Slovak
Romanian
Turkish
Polish
Punjabi, Eastern (india)
Russian
Lithuanian
Arabic
Portuguese

How many video interpreting sessions were made last year for all languages, including British Sign Language?

None

Can you please provide details of your current provider(s) (company name, date contract was awarded)?

Capita TI awarded in September 2015

When are your current language service contracts with your incumbent(s) due to end?

September 2019

Please can you provide the name, job title, email address and contact number for the person(s) responsible

- **for awarding any contracts relating to these services**
- **For managing the day to day running of the services**

It is Trust policy to not release names and contact details of staff below Executive Director Level as this constitutes personal information which is exempt under Section 40(2) in conjunction with Section 40(3A)(a) of the Freedom of Information Act 2000 which relates to 'Personal Information'.

An excerpt of the relevant Freedom of Information legislation can be found below:

Section 40 – Personal information

(2) Any information to which a request for information relates is also exempt information if—

(a) it constitutes personal data which does not fall within subsection (1), and

(b) either the first, second or third condition below is satisfied.

(3a) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act

(a) would contravene any of the data protection principles, or

(b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.

We can advise that the Director with overall responsibility for Procurement is Gordon Flack who is the Trust's Director of Finance.