

10 October 2023

Licensing agreement between the Trust and Alliance Medical to operate their diagnostic facilities

I am writing under the Freedom of Information Act (2000) to request the following please:

- a copy of the most up-to-date licensing agreement between the Trust and Alliance Medical to operate their diagnostic facilities

Please find the attached the information you have requested

Information has been redacted from these documents where the content is commercially sensitive.

This information is exempt from release under S 43 Commercial Interests

[Section 43: Commercial Interests](#)

- Section 43(1) provides an exemption under FOIA for information which is a trade secret.
- Section 43(2) exempts information whose disclosure would, or would be likely to, prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity).
- A public authority may refuse to confirm or deny that it holds information where such confirmation or denial in itself would (or would be likely to) prejudice those commercial interests.
- The section 43 exemptions are qualified exemptions, subject to the public interest test.

Section 43 is a qualified exemption. That is, it is subject to the public interest test which is set out in section 2 of the Act.

A public interest test was conducted with the outcome outlined below

The outcome of the above public interest test is that it would be in the public interest to provide the copies of the licence agreement including the clauses for termination and duration, as that information is already in the public domain. It is noted that licence

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agreements are implemented on an annual basis regardless of overall contract duration of which the licence agreement forms part.

The Trust will proceed to release copies of the licence agreements with costing information redacted in line with the relevant exemption.

The Trust has considered fully its commitment to ensuring openness and transparency, where reasonably practicable, in all its activities.

Signatures from the contracts have also been redacted.

With regards to Individuals signatures, this information is exempt under Section 40(2) of the Freedom of Information Act 2000 which relates to personal information relating to a third party. Information of a personal nature is exempt from release where its disclosure would leave individuals open to identity theft and where its disclosure would constitute a breach of the principles of the GDPR 2018.