

Date: 26/10/2016

FREEDOM OF INFORMATION REQUEST FOI/013055 – PFI performance adjustments

Please could you supply me with the following information regarding the trust's Private Finance Initiative contracts. Please provide information for each PFI hospital or unit within the trust.

1. Any performance adjustments deducted from the yearly unitary charge in respect of each hospital. Please include deductions planned but not yet made and those sought but in dispute.
2. Any other deductions/payments made under the PFI contract regarding defects including, but not limited to, those made by the Trust and the special purpose vehicle/project company.
3. The number of disputes concerning defects/deductions, resolved or otherwise, and whether they went to mediation, adjudication or court.
4. The sections/clauses of the PFI contract pertaining to deductions made in respect to defects, how much they can be and in which circumstances they can be made.
5. The sections/clauses regarding termination of the contract and the powers the trust has in this situation.

The Trust wishes to use FOI exemption Section 43 (2) Commercial Detriment of 3rd Parties where the release of such information would or would be likely to prejudice the commercial interests of any person and where it could prejudice the reputation or the confidence that customers, investors have in the organisations.