

Trust Headquarters
Russells Hall Hospital
Dudley
West Midlands
DY1 2HQ

Ref: FOI-062025-0001695

Date: 30.7.25

Address / Email:

Dear

Request Under Freedom of Information Act 2000

Thank you for requesting information under the Freedom of Information Act 2000.

Request

**Request for Information under the Freedom of Information Act 2000 (â€œFOIAâ€™)
Information on late payment**

This is a request under FOIA for details of instances in which The Dudley Group NHS Foundation Trust (including, where applicable, any agencies, bodies, or units for which it is ultimately responsible for supplier payments) has failed to pay its suppliers on time, thereby causing liabilities for late payment compensation and/or interest on late payments to be incurred for the public purse.

As the Government has made clear, late payment remains a significant issue for business and a drag on the UK economy as a whole. It is clear that, despite what the law says, many suppliers have not received timely payment or the interest and compensation for late payment to which they are entitled by statute.

Public authorities must keep information on payment in order to comply with their legal obligations, and there is a public interest in ensuring both compliance and that unpaid interest and compensation is recovered from public authorities. If proper records are kept as they ought to be, then information in this respect ought readily to be available.

The information requested below is not confidential, and its disclosure under FOIA is not capable of adversely affecting any partyâ€™s commercial interests. This is because this request is aimed at data about late payment liabilities that have in fact arisen: the disclosure of this data cannot cause any additional liability to arise. We therefore do not anticipate any reasonable grounds for refusing this request.

In any event, there is strong public interest in transparency about these matters. Relevant factors in this respect include: enhancing public understanding and scrutiny of issues of significant importance to stewardship of the public purse and to economic growth; facilitating an informed debate about compliance by your authority with its contractual obligations and with Government policy; helping businesses that suffer from late payment (many of which are small and medium-sized enterprises), and encouraging improvements in payment practices by public authorities such as yours.

With the above points in mind, we request under FOIA that you provide, (preferably in Microsoft Excel or an equivalent machine-readable format) the following information in respect of suppliers which were not paid in within 30 days for the period starting 1 April 2019 to the date of this request:

1. **Supplier Name**
2. **Invoice Date**
3. **Gross Invoice Value**
4. **Payment Date**
5. **Late Payment Compensation or Interest Paid (if any)**

Clarification:

We reiterate that this request:

- (a) Â Â is limited to information which should (if proper records are kept) be readily available from a purchase ledger system and should therefore be possible to retrieve without any difficulty and without imposing any significant burden;
- (b) Â Â relates to organisations (not individuals) who are entitled to be paid out of public funds for public services, and we do not require the disclosure of any personal information of any individual person;
- (c) Â Â does not require the disclosure of any confidential information or information to the production of which there could be any other lawful objection.

Compliance Assistance:

While we do not anticipate any grounds on which the requested information can lawfully be withheld, we nonetheless remind you of your duty under section 16 of FOIA to advise and assist requesters. If you consider that it may be impracticable to provide all the requested information within the statutory timescales, then we shall be pleased to discuss with you the reasons for this, and to see what steps may reasonably be taken in order to address these.

For example, we would be content to receive the information in several parts, in another convenient format (such as that which you may already have), or to prioritise (such as by the provision of greater value items, or by date).

Response

Please see attached information which starts from April 2023. There was no late payment compensation or interest paid.

For a copy of the spreadsheet please contact dgft.foi@nhs.net quoting reference number FOI-062025-0001695

The information in the spreadsheet does not distinguish between invoices that are late, those where there has been a query which has delayed payment, or those which have been disputed.

The Trust is applying Section 43(2) to the Supplier name as the release of the information is likely to prejudice its commercial interests.

For information prior to April 2023 the Trust estimates that it would take over 18 hours to manually locate and search previous invoices to find the information requested. Exemption Section 12 of the Freedom of Information Act is applied.

The Trust's Annual Accounts does include a Better Code of Practice report which gives a brief summary of invoice payments.

This can be found on the external website [Annual Reports - The Dudley Group NHS Foundation Trust](#)

If you are dissatisfied with our response, you have the right to appeal in line with guidance from the Information Commissioner. In the first instance you may contact the Information Governance Manager of the Trust.

Information Governance Manager
Trust Headquarters
Russell's Hall Hospital
Dudley
West Midlands
DY1 2HQ
Email: dgft.dpo@nhs.net

Should you disagree with the contents of our response to your appeal, you have the right to appeal to the Information Commissioners Office at.

Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113
www.ico.org.uk

If you require further clarification, please do not hesitate to contact us.

Yours sincerely

Freedom of Information Team
The Dudley Group NHS Foundation Trust