

Reference Number: FOIAH2425/256
From: Other
Date: 13 August 2024
Subject: Performance Based Contracts

I am investigating performance-based contracts (outcomes-based/value-based contracts), with a particular focus on such agreements in the healthcare sector. From what I have researched, while value-based solutions are not new, there has not been a significant drive to implement them in England. In light of the above, I have the following questions:

Q1 Are performance-based contracts being utilized in the broadly defined healthcare sector in your entity? Timespan: no limit.

A1 We do have performance measures based within some of our contracts however these measures won't affect the payment to the suppliers.

Q2 If so, what specific cases of such contracts can be identified?

A2 Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data. This is on a case by case basis depending on the contract.

Q3 Will the number of such contracts increase, decrease, or remain the same in the future?

A3 Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data. This is on a case by case basis depending on the contract.

Q4 Have there been any legal proceedings or court rulings related to such contracts?

A4 No

Q5 If so, what specific cases of such legal proceedings or court rulings can be identified?

A5 No

Q6 Do these contracts improve the quality of healthcare services? I do not mean here opinion but rather objective report/feedback/study.

A6 Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data.

Q7 Are such contracts positively evaluated? I do not mean here opinion but rather objective report/feedback/study.

A7 Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data.

- Q8 Are these contracts available for analysis? I would like to analyse above all the specific Performance Indicators used in these contracts.
- A8 Information exempt under Section 43 - Due to the potential damage to commercial interests of the current suppliers as release of this information and any other unique pricing likely to be requested for disclosure would allow other competitors a significant competitive advantage and thus harm the commercial interests of our current suppliers.
- Q9 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?
- A9 Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data. This is on a case-by-case basis depending on the contract.