

16/11/2015

**BY EMAIL**

Tel: 028 9536 3863  
Email: FOI.BSO@hscni.net

Our Ref: FOI 465

Dear

Your request for information was received on October 19<sup>th</sup> 2015 and was dealt with under the terms of the Freedom of Information Act 2000. Please be advised that the Business Services Organisation (BSO) has now completed its search for the information you requested. Specifically you requested the following:

1. Copies of all communication between HSC, PALS and Covidien, or its agents, in respect of Tender 12126.
2. Copies of all documents relating to any legal challenges made by Covidien or its agents following the award to Fleetwood.
3. Details (including quantities, prices, dates, recipients and delivery addresses) of all Medtronic Venefit ClosureFast or equivalent RF thermal ablation Catheters purchased, either centrally, by any of the Trusts individually, or directly by the Surgeons, since 12th March 2014 from Covidien or its agents.
4. Copies of all applications received/submitted since 12th March 2014 for Single Tender Actions (STA), signed or otherwise, from any of the five Trusts, namely Belfast Health and Social Care Trust, Southern Health and Social Care Trust, Northern Health and Social Care Trust, South Eastern Health and Social Care Trust and/or Western Health and Social Care Trust, relating to products used for radio frequency thermal ablation of varicose veins as manufactured by Covidien (Medtronic) or any other manufacturer, and in particular Venefit Closurefast catheters.
5. Copies of any communication relating to the STA's, between the aforementioned parties, including the requisite written records setting out the reason/detailed justification as to why the STA procedure was used whilst an award was in place following an appropriate competitive tender, as required under the EU regulations concerning/protecting their use.

The information you have requested is attached. Please note that information has been redacted under *Section 40 of the Freedom of Information Act (Personal Information)*. This exemption is absolute and is therefore not subject to the public



interest test. The redacted ;information constitutes personal data as defined in the Data Protection Act 1998 (DPA) and disclosing it would breach the fair processing principle set out in the DPA.

I hope that the information provided assists you. If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter.

In the event that you require a review to be undertaken, you can do so by writing to

Administrative Services Manager,  
2 Franklin Street,  
Belfast,  
BT2 8DQ

If, following an internal review, carried out by an independent decision making panel, you remain dissatisfied in any way with the handling of the request, you may make a complaint under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the BSO has complied with the terms of the Freedom of Information Act.

You can contact Information Commissioner at:

**Website:** [www.ico.org.uk](http://www.ico.org.uk)

**Phone:** 0303 123 1113

**Email:** [casework@ico.org.uk](mailto:casework@ico.org.uk)

**Post:** Information Commissioner's Office, 3rd Floor, 14 Cromac Place, Belfast, BT7 2JB

In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out. However the Commissioner has the option to investigate the matter at his discretion.

Yours Sincerely,

**David Bingham**  
Chief Executive