

FOI 3340

20th October 2025

FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST

This is a request under FOIA for details of instances in which Southern Health and Social Care 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 party'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.

Request

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 last six financial years (1 April 2019 to 31 March 2025):

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 the 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).

If there be any other steps which you think could reasonably assist in providing the information, or refining the request, then please let me know.

Response:

The Southern Trust is unable to provide this information as it is exempt from disclosure under the Freedom of Information Act, Section 43 (2) (Commercial Interests).

The Trust believes that releasing the information requested into the public domain under the FOI Act could be prejudicial to competition in future tendering processes.

There is a public interest in ensuring that service providers can compete fairly in the marketplace. There is also a public interest in ensuring that there is fair competition for public sector contracts.

Release of this information into the public domain may have a detrimental impact on the business relationship between the Trust and the provider, including future contracts. Furthermore, disclosure would prejudice the commercial interests of the Trust as it may result in increased expenditure which would impact on services delivered to patients/clients and reduce the Trust ability to meet its statutory financial targets.

Section 43 (2) is a qualified exemption and is therefore subject to a Public Interest Test (PIT).

I can confirm that we have now carried out a PIT and the outcome is to maintain the exemption and withhold the information from release.

Having considered the public interest arguments in relation to this information, it is the Trust view that the balance lies in favour of non-disclosure therefore there is a greater public interest in withholding the information and not releasing into the public domain under the FOI Act.

In reaching the decision to withhold the information requested, the Trust has considered fully its commitment to ensuring openness and transparency, where reasonably practicable, in all its activities.

However, you can access high-level information on expenditure to suppliers from our Annual Reports. These are published on the Southern Health and Social Care Trust website:

[Annual Reports | Southern Health & Social Care Trust](#)

Email: Foi.Team@Southerntrust.hscni.net