

Freedom of Information Act 2000

The Royal Cornwall Hospitals NHS Trust Response to Information request

Date Request Received: 23rd June 2025

FOI Ref No 29275

Requested Information:

Information on late payment

This is a request under FOIA for details of instances in which Royal Cornwall Hospitals NHS 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 period starting 1 April 2023 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.

Response:

Providing this information will cause a detrimental effect on Royal Cornwall Hospitals NHS Trust commercially. In the interest of transparency please find below a link to late payment data that is made available to the public as part of our annual accounts.

[Trust Annual Reports and Accounts | Royal Cornwall Hospitals NHS Trust](#)

Appendix One:

Section 43 (2) - Commercial Sensitivity (qualified)

Regarding your request for “information in respect of suppliers which were not paid in within 30 days for the period starting 1 April 2023”, the Royal Cornwall Hospital Trust have considered this part of your request and after careful consideration, have concluded that the information requested is exempt from disclosure under Section 43 (2) of the Freedom of Information Act 2000:

43 (2) Information is exempt from disclosure under this Act as it would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

Exemption 43 (2) is a qualified exemption, and the Royal Cornwall Hospital Trust has fully considered the balance of public interest and is satisfied that the public interest in withholding the information outweighs the public interest in disclosing it. The Trust considers that there is a real likelihood of harm arising to its own commercial interests. The disclosure of this information would, or would be likely to, have a negative impact on the commercial interests of the Royal Cornwall Hospitals NHS Trust.

Attachment(s):

No Attachment(s)

Date Response sent: 16th July 2025