

- To:
- NHS trusts and foundation trusts:
 - heads of procurement
 - directors of finance
 - Integrated care systems
 - procurement leads

NHS England
Wellington House
133-155 Waterloo Road
London
SE1 8UG

April 2024

Dear colleagues,

Change in legal basis for mandatory data submission to the NHS Spend Comparison Service

The NHS Spend Comparison Service (SCS) is a free-to-use online tool for NHS procurement teams to compare price and spend data, helping to identify potential savings, leverage the market and collaborate to purchase goods and services. Most NHS trusts and foundation trusts (NHS providers) already submit data to the [NHS Spend Comparison Service](#).

NHS England has changed the legal basis for data collection, reflecting the legislative changes under the Health and Care Act 2022.

From 1 April, data submission for NHS providers will become mandatory.

This means that NHS trusts and foundation trusts which are not currently submitting data will need to submit [relevant purchase order and accounts payable data](#) from April 2024 onwards.

What are the benefits of submitting data and using the SCS?

- It enables benchmarking of products and prices paid, direct from supplier and through different supply routes, to understand the most cost-effective supply route to achieve savings and avert cost pressures.
- This approach helps providers to identify total and pareto spend by normalised supplier and category, to rationalise spend or disaggregate where relevant.
- Providers can more easily identify and view efficiency opportunities across expenditure, and in doing so contributes to the financial sustainability of the NHS.

Actions

- If you are a customer of [NHS NEP Cloud](#) or [NHS Shared Business Services](#), no further action is required. NHS England automatically receives the requisite data and integrates this on your behalf.
- If you are not a customer of the above shared service and system providers, please submit your data through the [Strategic Data Collection Service](#) (SDCS), on a monthly basis or more frequently.
- Where providers are making inconsistent submissions, separate communications will be sent directly to their heads of procurement and directors of finance to support the improvement of the national dataset.
- Further commercial datasets (for example catalogue data, where this is held) will need to be submitted as part of an expanded scope later in financial year 2024/25. Further communication will follow separately later.

Useful links

- More information on the SCS can be viewed on the [NHS England website](#).
- If you do not have an SCS account, please [submit an online access request](#).
- If you have an account, you can access the SCS [here](#) with your organisational Microsoft user account and password.
- Reference to SCS data collections as [approved collections under the NHS Standard Contract](#).

The NHS Commercial team can be contacted via email at england.ccf.datatech1@nhs.net, should you have any questions.

Thank you for your continued support.

Yours sincerely,



Jacqui Rock

Chief Commercial Officer

NHS England

Annex

Change in legal basis underpinning this mandatory data submission

The previous legal basis for data submission to the SCS was a mandatory request under section 255 of the Health and Social Care Act 2022 (treated from 1 July 2022 as a direction under section 254).

From 1 April 2024, the legal basis for the data submission will be the exercise of NHS England's powers to require NHS providers to provide information.

In particular, NHS England's powers under Condition G1 of the Standard Conditions of the NHS Provider Licence (provision of information) and, as respects NHS trusts, its powers under paragraph 13(1) of Schedule 4 to the National Health Service Act 2006.

By this letter, NHS England is requiring NHS Providers to provide NHS England with [relevant Purchase Order and Accounts Payable data](#) from 1 April 2024 onwards. This requirement is in addition to specific obligations set out elsewhere in the licence.

Under condition G1, NHS England may require such information for any of the purposes set out in section 96(2) of the Health and Social Care Act 2012. Relevant purposes include:

- a. regulating the price payable for the provision of NHS services;
- e. enabling the provision of NHS services to be provided in an integrated way;
- g. enabling, promoting or securing co-operation between providers of NHS services; and
- h. purposes connected with the governance of providers of NHS services.

By submitting data to the SCS and using the free-to-use analytical tool, NHS providers will have visibility into supplier, product and service usage, helping them to identify and address unwarranted usage and price variation. This helps NHS providers to operate efficiently, economically and effectively, and to collaborate.