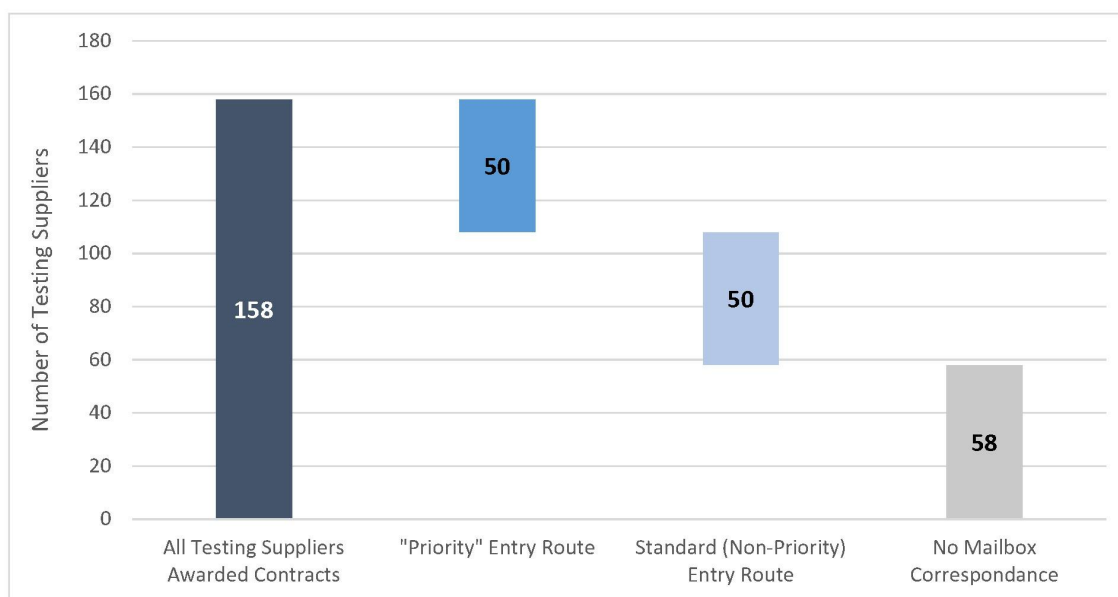


## Executive Summary

8. There was not a consistent, formalised process by which “priority” offers were tagged and managed at NHS Test & Trace. There is no evidence in this analysis to suggest that suppliers could circumvent the standard process steps by being routed through a separate “priority lane”.
9. However, there were different ways in which a “priority” or equivalent offer was denoted over time. We have identified 50 suppliers with contracts who could be considered a “priority” or equivalent because of their entry route into the process<sup>2</sup>. These 50 suppliers were awarded 128 contracts with a total value of £6.0bn. This is 76% of the total contracted spend for the period<sup>3</sup>.
10. All suppliers went through a scientific validation process which involved a network of expert stakeholders. This provided rigour to ensure no products were progressed that did not meet the required specification. To meet challenging time pressures, the scientific validation processes could be managed in parallel to supplier engagement and initial commercial discussions.
11. 58 suppliers were not found in any correspondence in the shared mailboxes and their entry route to NHS Test & Trace is currently unknown.

**Figure 1: Breakdown of Number of Suppliers Awarded Testing Contracts<sup>4</sup>**



<sup>2</sup>Analysis includes suppliers who were 1) Associated to a “VIP”, “fast-track” or equivalent keyword, 2) Suppliers involved in email correspondence with a “VIP” individual (“ps-”, “@parliament” or “No10” email addresses), 3) Involved in correspondence via the “priority contacts” mailbox.

<sup>3</sup>28<sup>th</sup> May 2020 – 31 March 2021.

<sup>4</sup>Source: Awarded Aggregator UKHSA Database – duplicate supplier names were merged for consistency, this is detailed in the Methodology in Annex 5

17. Commercial processes evolved and matured over time. In March 2021, a new commercial framework went live specifically to procure lab capacity. Also in March 2021, a Dynamic Purchasing System was established for LFDs; this remains the route through which to run competitive procurement processes for the provision of LFDs.

### Immediate Next Steps:

18. Due diligence is currently being undertaken to validate the commercial approval processes for each of the 128 contracts awarded to “priority” suppliers to determine when the contract was approved for award at the relevant governance forum.

### Supplier List:

19. We have identified 50 suppliers with contracts who could be considered a “priority” or equivalent because of their entry route into the process<sup>5</sup>. These 50 suppliers were awarded 128 contracts with a total value of £6.0bn.

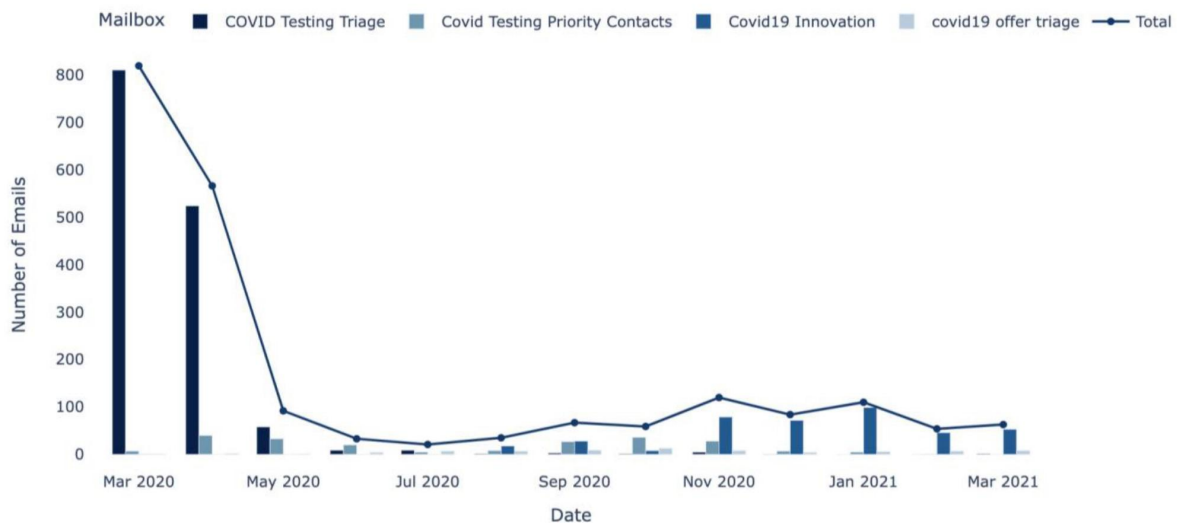
| Supplier name   | Start date of first contract with NHS Test & Trace | No. of contracts <sup>6</sup> | Total value (all contracts <sup>7</sup> ) | Original referrer into the mailboxes <sup>8</sup>   |
|---|--|-------------------------------|---|---|
| Innova Medical Inc.   | 17 Sep 2020  | 9                             | £3,195,656,968                            | Dominic Cummings (No10) – <i>identified through deep-dive (Annex 2a)</i>  |
| Thermo Fisher (including Life Technologies – acquired by Thermo Fisher in 2014) | 16 Jul 2020  | 15                            | £699,978,128                              | Supplier engaged with DHSC prior to NHS Test & Trace being established  |
| Hologic Ltd   | 01 Jun 2020  | 1                             | £151,219,209                              | Supplier engaged with DHSC prior to NHS Test & Trace being established  |
| SureScreen Diagnostics Limited  | 23 Nov 2020  | 5                             | £197,800,000                              | Lord Bethell – <i>identified through deep-dive (Annex 2a)</i>   |
| DNANudge Ltd  | 30 Jun 2020  | 1                             | £160,990,000                              | Supplier engaged with DHSC prior to NHS Test & Trace being established  |
| LGC Ltd   | 23 Aug 2020  | 7                             | £129,967,498                              | Individual contact (PHE) who forwarded the offer  |
| University of Southampton   | 18 Aug 2020  | 3                             | £104,967,690                              | Supplier engaged with DHSC prior to NHS Test & Trace being established  |
| Origin Ltd  | 24 Jun 2020  | 3                             | £66,778,800                               | Individual contact (DHSC) who forwarded the supplier's offer to individuals in OLS, who then directed them to DHSC                |
| Roche Diagnostics Limited   | 01 Nov 2020  | 1                             | £8,000,001                                | Supplier engaged with DHSC prior to NHS Test & Trace being established  |
| Eurofins UK Limited   | 24 Aug 2020  | 6                             | £58,800,000                               | PHE.NICC30 (PHE) who forwarded the supplier's offer to Covid Diagnostics (PHE)  |
| Ecolog International (UK) Ltd   | 25 Nov 2020  | 1                             | £38,477,491                               | Matt Hancock – <i>identified through deep-dive (Annex 2a)</i>   |
| LumiraDx UK Ltd   | 14 Sep 2020  | 2                             | £29,481,035                               | David Prior (ex-minister in the Lords) who referred the supplier to Lord Bethell – <i>identified through deep-dive (Annex 2a)</i> |

<sup>5</sup>Analysis includes suppliers who were 1) Associated to a “VIP”, “fast-track” or equivalent keyword, 2) Suppliers involved in email correspondence with a “VIP” individual (“ps-”, “@parliament” or “No10” email addresses), 3) Involved in correspondence via the “priority contacts” mailbox.

<sup>6</sup>Number of contracts with contract start dates between 28 May 2020 – 31 Mar 2021

<sup>7</sup>Total value of contracts with start dates between 28 May 2020 – 31 Mar 2021

<sup>8</sup>The original referrer into the mailboxes has been identified through either a deep-dive analysis, or the first email correspondence where the supplier was mentioned. Further checks are required to determine the original referrers for 45 suppliers due to reasons outlined in Annex 1.

**Figure 3: Offers over time**

### Use of Priority (or equivalent) markings

24. There was not a consistent, formalised process by which “priority” offers were tagged and managed at NHS Test & Trace. There is no evidence in this analysis to suggest that suppliers could circumvent the standard process steps by being routed through a separate “priority lane”.

25. However, there were different ways in which a “priority” or equivalent offer was denoted over time. We have identified 50 suppliers with contracts who could be considered a “priority” or equivalent because of their entry route into the process<sup>13</sup>. We have considered the following routes as “priority” entry:

- “VIP” “FASTTRACK” “High Priority” and “Referral” mentioned in correspondence
- Suppliers involved in email correspondence with a “VIP” individual (“ps-”, “@parliament” or “No10” email addresses)
- Involved in correspondence via the “priority contacts” mailbox

Of these 50 suppliers, the highest spend is on Innova Medical, Thermo Fisher (including Life Technologies), OptiGene Ltd, Abbott Laboratories Ltd and SureScreen Diagnostics Ltd. Randox was identified in email exchanges but was not denoted as a “priority”, nor was a “VIP” present on email exchanges.

26. We have identified 14 suppliers who were awarded contracts that fall into all 3 considerations of “priority” entry route and are therefore of particular interest. That is, they have all of the following:

<sup>13</sup>Analysis includes suppliers who were 1) Associated to a “VIP”, “fast-track” or equivalent keyword, 2) Suppliers involved in email correspondence with a “VIP” individual (“ps-”, “@parliament” or “No10” email addresses), 3) Involved in correspondence via the “priority contacts” mailbox.

28. Our analysis looked at the number of suppliers awarded a contract as a percentage of total offers<sup>14</sup> in a mailbox. The table below shows the comparison across mailboxes and shows the percentage is highest at 16% for the *priority contacts* mailbox. The important caveat is that there are multiple other ways in which suppliers could submit offers and thus these numbers do not represent the full picture.

| Mailbox <sup>15</sup>                                   | COVID Testing Triage | Covid Testing Priority Contacts | COVID19 Innovation |
|---|----------------------|---------------------------------|--------------------|
| Successful suppliers as % of total offers <sup>16</sup> | 5.4%                 | 16%                             | 7.3%               |

### **Governance processes**

29. All suppliers went through a scientific validation process which involved a network of expert stakeholders (initially via the New Test Approvals Group (NTAG) which later was replaced by the Technical Validation Group (TVG)). In some cases, to meet challenging time pressures, the scientific validation processes were managed in parallel to supplier engagement and commercial discussions.
30. Test & Trace was established as an organisation in May 2020 and took over responsibility for testing commercial activity. There were multiple changes to process during this time period in response to the rapidly changing external landscape and multiple communication channels (mailboxes) for supplier correspondence.
31. Further structure was established from September onwards, with the introduction of the Design Authority Review (DAR). DAR was established as an approvals board, for discussion and evaluation of new suppliers and technologies which were being considered for use within Labs and for Mass Testing. TVG was also introduced to replace NTAG/VTAG.
32. Commercial processes evolved and matured over time. In March 2021, a new commercial framework went live specifically to procure lab capacity. Also in March 2021, a Dynamic Purchasing System was established for LFDs; this remains the route through which to run competitive procurement processes for the provision of LFDs.

<sup>14</sup>This analysis uses distinct email domains (not including gov.uk, nhs.net, parliament.uk domains) as a proxy for total number of offers. More detail can be found in Annex 5.

<sup>15</sup>*Covid19OfferTriage* not included due to low numbers

<sup>16</sup>This considers suppliers and offers from March 2020 – March 2021