

[REDACTED]

Date 5 June 2026  
Your Ref FOI-2026-3367  
Our Ref FOI-2026-3367

Enquiries to [REDACTED]  
Email [psd.foi@nhs.scot](mailto:psd.foi@nhs.scot)

Dear [REDACTED]

**Freedom of Information Reference FOI-2026-3367**

I refer to your Freedom of Information (Scotland) Act 2002 (FOISA) request that we received on 11 May 2026 requesting the following information:

- 1. A copy of the contract or framework agreement between NHS NSS (or its successor) and Amazon Web Services (AWS) for hosting of the National Digital Platform (NDP), or if the full contract is withheld under commercial confidentiality exemptions, a summary of the key terms including: contract duration, total value, renewal provisions, and exit/termination clauses.**

It is important to note that from 1 April 2026, NHS National Services Scotland (NSS) and NHS Education for Scotland (NES) joined to form Public Services Delivery Scotland (PSD Scotland), enabling transformation in health, social care, and the wider public sector. More information regarding PSD Scotland can be found at the following URL:

[Public Services Delivery Scotland \(PSD Scotland\)](#)

Under the [FOISA Section 33\(1\)\(b\) exemption for "Substantial prejudice to commercial interests"](#), the following details from the contract are being withheld as disclosure would, or would be likely to, prejudice substantially the commercial interests of AWS and/or NHSScotland. This exemption has been applied to protect the legitimate commercial interests of all parties, including:

- Detailed pricing information, including pricing structures, rates, and financial models
- Commercially sensitive contractual terms, including terms relating to liability, risk allocation, and performance arrangements

We have applied the [Public Interest Test](#) and recognise that there is always a public interest public authorities conducting business in a transparent and accountable manner, however, this is outweighed by the need to protect fair competition and supplier confidence in NHSScotland procurement processes.

However, you have specified that in the event of applying an exemption the following key terms including contract duration, total value, renewal provisions and exit/termination clauses would be acceptable.

Please see the information below in relation to the key terms:

**a) Contract duration:**

The contract relates to a 10 year period (1 year, +3 years, + 3 years, +3 years).

**b) Total value of contract:**

The total value of the contract is an anticipated £15m spend over the period of the contract.

**c) Renewal provisions:**

The renewal provisions are 1 year, +3 years, + 3 years, +3 years commencing 2020.

**d) Exit/termination clauses:**

Under the exit/termination clauses PSD Scotland can break the contract after each three year period.

Summary Information in relation to this contract is available on the Public Contracts Scotland (PCS) register, and this contract summary can be accessed to via the PCS website (URL below). I have also attached a copy of the summary for your information:

[MAY414080 - Public Cloud for the National Digital Platform](#)

**2. Whether the contract includes any provision requiring data to be hosted exclusively within the UK, and if so, in which specific AWS region(s) (e.g. eu-west-2 London). Whether any data is replicated to AWS facilities outside the UK.**

No data is replicated to AWS facilities outside the UK. Only data centres in the London region with 3 availability zones are used.

**3. Any assessment conducted by NHS NSS or its successor of the implications of the US CLOUD Act 2018 for patient data held on AWS infrastructure, including the Community Health Index (CHI).**

CHI is hosted in Microsoft Azure, not in AWS.

**4. Whether any exit plan or data migration strategy exists for moving the NDP to alternative hosting (whether sovereign Scottish/UK hosting or another provider), and if so, a copy of or summary of that plan.**

Under the [FOISA Section 17 exemption for "Information not held"](#) PSD Scotland does not hold any information in relation to an exit plan or data migration strategy as this area has not yet been decided.

**5. The current number of CHI records held on the NDP, and whether any non-NHS bodies (e.g. local authorities, COSLA) currently have read or write access to CHI data through the NDP.**

There are no CHI records held on NDP, however below is a list of the current non-NHS bodies whose product accesses the national CHI database via a Fast Healthcare Interoperability Resources (FHIR) interface (NDP Demographics Service). All access is read only and there is no write functionality available.

It is important to understand the context in which the non-NHS bodies have access. Most are either:

- Providing a product that is used by Health Board staff, not used by the staff of the non-NHS body, or
- Is used by the staff of the non-NHS body but in provision of services under an NHS contract.

There is one that doesn't fit into either category above – Social Security Scotland.

Non-NHS body	Product used by	Permission granted by
DaySix	NHS Greater Glasgow and Clyde	NHS Greater Glasgow & Clyde
Consultant Connect	All Health Boards where ANIA Digital Dermatology has been deployed	CHI Management Board
Vivisol	<a href="#">Vivisol</a> and Health Board staff – service supplied under the Scotland Home Oxygen Service Contract	CHI Management Board
Orion Health	All Health Boards in the North of Scotland	CHI Management Board
Social Security Scotland	Social Security Scotland	CHI Management Board

I trust you will find the information of assistance and if you require any further information, please do not hesitate to contact me using the email address [psd.foi@nhs.scot](mailto:psd.foi@nhs.scot).

If you are unhappy with any aspect of how we have dealt with your request, you can make representations to us asking us to review the handling of your request. Please write to the Associate Director Corporate Governance using the email address [psd.foi@nhs.scot](mailto:psd.foi@nhs.scot) within 40 working days of the date of this correspondence.

If after a review you are still unhappy, you also have the right to apply to the Scottish Information Commissioner, who can be contacted at Kinburn Castle, St Andrews, Fife, KY16 9DS, or via their [online Appeal form](#).

Yours sincerely,

