

Our Ref: DP-7028  
16th March 2023

Dear [REDACTED]

## FREEDOM OF INFORMATION REQUEST

Thank you for your request dated 9<sup>th</sup> February 2023.

### Your request

Dear FOI officer,

Please provide me with the following information:

1) How many genomes has Illumina sequenced under the agreement announced in 2020 to sequence up to 300,000 whole genomes over 5 years?

Please provide a breakdown by year, i.e. giving numbers for 2020, 2021 and 2022.

This is the relevant agreement:

<https://www.genomicsengland.co.uk/news/genomics-england-and-illumina-sequence-whole-genomes-for-nhs-gms>

2) How much has Genomics England paid Illumina for the sequencing work above. Please give a breakdown by year for 2020, 2021 and 2022.

3) How many genomes has Illumina sequenced for Genomics England that were not covered by the agreement above. Please give a breakdown for 2020, 2021, 2022.

4) How much has Genomics England paid Illumina for the sequencing work outside that covered by the agreement linked to above. Please give a breakdown by year for 2020, 2021 and 2022.

### Our Response

		2020	2021	2022
Q1	Breakdown of how many genomes Illumina has sequenced under the agreement announced in 2010.	2,451	22,222	35,058

Q2	How much Genomics England has paid Illumina for the sequencing above.			
Q3	How many genomes has Illumina sequenced for Genomics England that were not covered by the agreement above.	0	0	0
Q4	How much has Genomics England paid Illumina for the sequencing work outside that covered by the agreement linked to above.	0	0	0

The responses to Question 2 are subject to exemption under Section 43 (2) of the Freedom of Information Act 2000 in that disclosure would, or would likely to, prejudice the commercial interests of Genomics England and Illumina. A Section 43(2) exemption is qualified in that information can only be withheld if the public interest test set out in Section 43 (2)(2) of the FOIA, in maintaining the exemption, outweighs the public interest in disclosure. We have referred to Schedule 7 of the contract between Genomics England and Illumina to consider the following factors when applying the public interest test to this exemption:

Does this information related to, or could it impact on a commercial activity?

Yes, the commercial activities of Genomics England and Illumina could be compromised if the activity-related costs were disclosed as it would affect their ability to negotiate contracts with other third parties.

Would there be damage to reputation or business confidence?

Yes, it is important that Genomics England maintains confidential contractual relations with its commercial suppliers to ensure trust and confidence in it as a contracting party.

Whose commercial interests are affected?

Genomics England's and Illumina's.

Is the information commercially sensitive?

Yes, activity costs are subject to market conditions.

What is the likelihood of prejudice being caused?

High, in that disclosure would damage Genomics England's or Illumina's ability to negotiate a contract with other sequencing partners.

The public interest applies. In relation to the public interest test the following have been recorded:

- Public interest factors in favour of disclosure
- Public interest factors in favour of maintaining the exemption
- The outcome of the public interest test.

The exemption can only be upheld if the public interest in maintaining the exemption outweighs the public interest in disclosure.



There is inherent public interest in ensuring that there is openness and transparency in the spending of public money. Transparency is likely to increase confidence in procedures and decisions made by Genomics England.

Factors in favour of maintaining the exemption:

Disclosure would damage Genomics England's future ability to negotiate contracts competitively. Genomics England must ensure that its business activities are confidential to maintain business confidence from those it contracts with.

The factors against disclosure outweigh the factors for disclosure. As the public interest test is met, the exemption applies and some sections within the contract have been redacted.

We hope the above addresses your request, however, if you feel it doesn't, you have the right to ask for an internal review. Requests for internal review should be submitted within two months of the date of receipt of our response and should be addressed to our Data Protection Officer at [dpo@genomicsengland.co.uk](mailto:dpo@genomicsengland.co.uk). Please kindly remember to quote the reference number above in any future communications.

If you aren't satisfied with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or [Official information concern | ICO](#)

Yours sincerely

Geraldine Nash  
**Data Protection Manager**