



## **Redditch and Bromsgrove Clinical Commissioning Group**

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14 August 2018

Dear

**Re: Request for information under the Freedom of Information Act 2000**  
**Ref no: CAS-03598-J2V3M9-RB**

Thank you for your correspondence dated 20 July 2018, making a request under the Freedom of Information Act 2000 for information which may be held by NHS Redditch and Bromsgrove Clinical Commissioning Group (CCG).

You requested the following information and our response is detailed below:

Please could you send to me, in the most appropriate format, the financial figures for how much money you spent on/sent to each individual GP practice and each GP federation/consortium in your area in the most recent financial year? Please could you break this down as payments per registered patient and all other additional payments (e.g. QOF points).

**We are not obliged to provide information relating to commercial interests. In this case, we believe that the information would, or would be likely to, prejudice the commercial interests of the department who holds it (section 43(2) of the Act).**

**In line with the terms of this exemption in the Freedom of Information Act, we have also considered whether it would be in the public interest for us to provide you with the information, despite the exemption being applicable. In this case, we have concluded that the public interest favours withholding the information.**

**You can find out more about Section 43 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter.**

**You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/43>**

**When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors:**

**Public interest considerations favouring disclosure:**

- **It would provide reassurance to the public by being open and transparent.**

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- The general proposition of maximising openness and accountability that NHS Redditch and Bromsgrove CCG aspires to.
- The benefits of ensuring transparent and accountable governance by disclosing how NHS Redditch and Bromsgrove CCG receives and spends public money.

### **Public interest considerations favouring withholding the information:**

- Releasing information that would enable other organisations to see the income received by NHS Redditch and Bromsgrove CCG from independent contractors.
- Releasing information regarding how much money has been spent could undermine the effectiveness of any contracts subject to procurement and therefore by publicising how much is paid at GP practice level could provide unfair advantages to parties who are in receipt of this data and could impact the CCG's chance of best value for money.

Having taken into account the arguments for and against disclosure, NHS Redditch and Bromsgrove CCG decided that the public interest in this case is best served by maintaining the exemption and by not disclosing the information requested, at this stage. NHS Redditch and Bromsgrove CCG considers that the possible benefits of disclosure are outweighed by the real risk of causing prejudice to the commercial interests of the money spent on or sent to each individual GP practice concerned and NHS Redditch and Bromsgrove CCG itself. In this case there is an overriding public interest in ensuring that companies are able to compete fairly and in ensuring there is competition for public sector contracts.

We reached the view that, on balance, the public interest is better served by withholding this information under Section 43 (2) of the Act at this time. You have the right to appeal our decision if you think it is incorrect, please see below for how to appeal.

### **Right of appeal**

Should you require any further information or clarification regarding this response, or do not feel that your request has been answered as you would expect, please contact the FOI team to discuss. However, if you remain dissatisfied with the service you have received in relation to your request and wish to request a review of our decision, this can be formally requested in writing and must be within a reasonable period of time (two calendar months) from the date this response was issued

Initially you should write to the freedom of information officer, either by email on [MLCSU.FOITeam@nhs.net](mailto:MLCSU.FOITeam@nhs.net) or post to Jubilee House, Lancashire Business Park, Leyland, PR26 6TR, specifying why you feel you have been wrongly denied access to the information requested. The freedom of information team will make sure your request is investigated by an independent reviewer who was not involved in the original consideration of your request and a written response will be provided within 20 working days.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioners Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by NHS Redditch and Bromsgrove CCG. The ICO can be contacted at:

Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF  
[www.ico.gov.uk](http://www.ico.gov.uk)

**Copyright and the Re-use of Public Sector Information Regulations**

## **Redditch and Bromsgrove Clinical Commissioning Group**

Most of the information that we provide in response to Freedom of Information Act 2000 requests will be subject to copyright protection. In most cases the copyright will be owned by NHS Redditch and Bromsgrove CCG. The copyright in other information may be owned by another person or organisation, as indicated in the information itself.

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- Name and address of applicant requiring permission for re-use of the information
- Full details of the document/information required for re-use sufficient for the NHS Redditch and Bromsgrove CCG to identify it
- The purpose for which the document/information is to be re-used

For information where the copyright is owned by another person or organisation, you must apply to the copyright owner to obtain their permission. However, if you require more information on copyright please see the ICO guidance which can be accessed via the following link;

<https://ico.org.uk/media/for-organisations/documents/1151/datasets-foi-guidance.pdf>

Yours faithfully

**FOI Officer**  
**On behalf of NHS Redditch and Bromsgrove CCG**