



# Redditch and Bromsgrove Clinical Commissioning Group

Please contact: Access to Information Team

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7 February 2020

**Re: Request for information under the Freedom of Information Act 2000**  
**Ref no: CAS-05038-K8T4T7-RB**

Thank you for your correspondence dated 10 January 2020 making a request under the Freedom of Information Act 2000 for access to 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:**

NHS Redditch and Bromsgrove CCG are applying a Section 12 – Cost of Compliance exceeds the appropriate limit to this request. Section 12 of the Freedom of Information Act 2000 allows a public authority to refuse a request if the cost of providing the information to the applicant would exceed the ‘appropriate limit’ as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004:

*“Section 12 Exemption where cost of compliance exceeds appropriate limit*

*(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit”.*

The Regulations states that the appropriate limit to be applied to requests received by local authorities is £450 (equivalent to 2.5 days of work) for the purposes of the estimate the costs of performing these activities should be estimated at a rate of £25 per hour (£25 x 18hours = £450).

In estimating the cost of complying with a request for information, an authority can only take into account any reasonable costs incurred in:

*“(a) determining whether it holds the information,*

*(b) locating the information, or a document which may contain the information,*

*(c) retrieving the information, or a document which may contain the information, and*

*(d) extracting the information from a document containing it”.*

We have carried out a reasonable and proportionate search to locate all of the documents that relate to the above request for information and outline how this was carried out.

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

A search has been undertaken to verify that there are 382 agency invoices in 2018/19, over the three years this would mean an average total of 1146 invoices and the time taken to view and note the details of each invoice would take five minutes. The minimum required time to complete the exercise would therefore be 95 hours.

If you would like to refine your request to obtain information (i.e. request information across smaller parameters – time period, specific teams etc.) we have some suggestions below which may help:

1. By reducing the level of detail requested
2. the number of financial years required

Information requested that could be answered within the 18 hours' time limit is:

- The response to questions 1, 2, 3, 7, 9 and 10

If you would like to resubmit your refined request please do so on the following link and ensure you write the details of which CCG you require the information from within the body of the email:

[mlcsu.foiteam@nhs.net](mailto:mlcsu.foiteam@nhs.net).

### **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 Commissioner's 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 Commissioner's 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**

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.

You are free to use any information supplied for your own use, including for non-commercial research purposes. The information may also be used for the purposes of news reporting. However, any other type of re-use, for example, by publishing the information or issuing copies to the public will require the permission of the copyright owner. For information where the copyright is owned by NHS Redditch and Bromsgrove CCG please submit a request in writing stating:-



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

- 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**