

26 June 2017

Wellington House
133-155 Waterloo Road
London SE1 8UG

██████████
By email

T: 020 3747 0000
E: nhsi.enquiries@nhs.net
W: improvement.nhs.uk

Dear ██████████

Request under the Freedom of Information Act 2000 (the “FOI Act”)

I refer to your email of **27 May 2017** in which you requested information under the FOI Act from NHS Improvement.

Your request

You made the following request:

“Can you please send me the following:

1. The control totals set by NHSI for each NHS organisation for 2017/18 2. Whether or not each organisation has accepted its control total 3. The formula or other method used to determine the control total”

Decision

NHS Improvement holds the information that you have requested.

NHS Improvement has decided to withhold the information on the basis of the applicability of the exemption in section 22 of the FOI Act as explained in detail below.

Parts 1 & 2 and 3

Section 22 – information intended for future publication

Section 22 provides an exemption where information is held by a public authority with a view to future publication, if it is reasonable to withhold the information from disclosure until the date of publication.

NHS Improvement will publish the control totals for each organisation for 2017/18 and whether or not each organisation has accepted its control total during the year as part of the financial reporting cycle. Financial reports to the NHS Improvement Board are available on our website.

NHS Improvement will publish the formula and method used to determine the control totals in due course.

Public interest test

Section 22 of the FOI Act is a qualified exemption and NHS Improvement is therefore required to carry out a public interest test to determine whether the exemption should be maintained. We recognise the general public interest in openness and transparency in relation to the performance of providers, but our view is that this will be met by the publication of this information as part of the financial reporting cycle.

NHS Improvement also considers that the public interest will be better served by a general publication of validated, attributable data. Our conclusion is that the balance of public interest lies in withholding this information until its publication as part of the financial reporting cycle.

Review rights

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within NHS Improvement of the issue or the decision. A senior member of NHS Improvement's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, NHS Improvement, Wellington House, 133-155 Waterloo Road, London SE1 8UG or by email to nhsi.foi@nhs.net.

Publication

Please note that this letter will shortly be published on our website. This is because information disclosed in accordance with the FOI Act is disclosed to the public at large. We will, of course, remove your personal information (e.g. your name and contact details) from the version of the letter published on our website to protect your personal information from general disclosure.

Yours sincerely,



Kaye Bentley

Assistant Director of Financial Planning