

26 May 2017

Wellington House
133-155 Waterloo Road
London SE1 8UG

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

By email
[REDACTED]

Dear [REDACTED]

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

I refer to your email of 3 May 2017 in which you requested information under the FOI Act. Since 1 April 2016, Monitor and the NHS TDA have been operating as an integrated organisation known as NHS Improvement. For the purposes of this decision, NHS Improvement means Monitor and the NHS TDA.

Your request

You made the following request:

“Under the terms of the Freedom of Information Act 2000 I would like to request the following:

1. The reportable year-end financial position by deficit or surplus (ie 2016/17) and
2. The projected deficit or surplus for 2017/18 for each of the Trusts listed below

Cheshire and Wirral Partnership NHS Foundation Trust

North West Boroughs Healthcare NHS Foundation Trust

Bridgewater Community Healthcare

Liverpool Community Health Trust

Mersey Care NHS Trust

Greater Manchester Mental Health NHS Foundation Trust

Pennine Care NHS Foundation Trust

Lancashire Care NHS Trust

Cumbria Partnership NHS Foundation Trust

Wirral Community NHS Trust

North West Ambulance Service NHS Trust

Decision

NHS Improvement holds some of the information that you have requested.

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

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.

In relation to the reportable year-end financial position (2016/17) for NHS trusts and NHS foundation trusts, this information will be published in their annual accounts. The information will also be published by NHS Improvement as part of its Q4 performance report to be published after the general election.

In relation to the projected deficit or surplus (2107/18) for the NHS trusts and NHS foundation trusts you identify, NHS Improvement is planning to publish details of agreed control totals when we publish the Q1 17/18 results. It is currently anticipated that this will be in July 2017.

The information that you have requested therefore falls within the exemption at s.22 of the FOI Act. This exemption is subject to a public interest test. There is a public interest in understanding the finances of NHS providers. However, NHS Improvement considers that the public interest will be met by future publication of this information and that the balance of the public interest in this case lies in withholding this information and keeping to our proposed timetable for publication.

Please note that both NHS foundation trusts and NHS trusts are subject to the FOI Act and as such it is open to you to seek information directly from them. They will need to consider whether information can properly be provided by them in response to any such requests within the terms of the FOI Act.

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,

A handwritten signature in black ink that reads "Anne Gibbs". The signature is written in a cursive style and is positioned above a thin horizontal line.

Anne Gibbs
Delivery and Improvement Director, NHS Improvement