

7 September 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

Dear ██████████

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

I refer to your email of 8 August 2017 in which you requested an internal review of the decision of 7 August 2017 in relation to your FOI Act request dated 10 July 2017 for the following:

“All electronic correspondence between Ed Smith, and/or his office and Larry Renfro (Optum) and Stephen Hemsley (UnitedHealth), and/or their offices, from 1 August 2016 to 1 April 2017.”

In response to your request, we said that we did not hold any information in relation to Mr Stephen Hemsley. We held some information in relation to Mr Larry Renfro. Some of that information was disclosed to you and the remainder was withheld pursuant to section 40 of the FOI Act 2000, the exemption for personal data.

Internal Review

In your internal review request, you asked us to re-check our records including any private/non-governmental email accounts used by Ed Smith (and/or his office) that might have been used to communicate with Mr Hemsley. You also asked us to check for similar communications with Mr Renfro.

Neither Mr Smith, in work or personal email accounts, nor any staff of NHS Improvement holds any further information in relation to your request. As our public records show, we can confirm that meetings took place between Mr Ed Smith and Mr Stephen Hemsley and Mr Larry Renfro in the timeframe of your request. If there were written exchanges setting up those meetings, they are no longer held by us or Mr Smith. As you will appreciate Mr Smith meets many people either associated with the roles he undertakes or on a personal basis. He arranges many meetings himself and not always through the offices of NHS Improvement. As you will be aware Mr Smith is no longer the chairman of NHS Improvement.

As part of the internal review, I also reconsidered the exemptions applied to the material withheld under the original decision. For the reasons set out in the letter of 7 August 2017, I agree with the original decision.

Review rights

If you are not content 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.

Please note that this letter and the information 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, appearing to read 'Jonathan Brown', with a stylized flourish at the end.

Jonathan Brown
Head of Private Office