

26 June 2019

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██████████
By email
████████████████████

Dear ██████████

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

I refer to your email of 13 April 2019 in which you requested an internal review of NHS Improvement’s decision dated 25 March 2019 in relation to your email of 26 February 2019, in which you made the following request under the FOI Act:

“Further to the Department of Health’s transfer of it’s Activity Database (ADB) to the private sector, effective from 31st December 2016, I write to request under the Freedom of Information Act an electronic copy of the content of ADB retained and owned by the Department as Crown material, including room data sheets, AutoCAD room layout drawings and equipment schedules. This information may have been transferred to NHSI as part and parcel of the 1st February 2016 transfer of the NHS Estates & Facilities Management Function to NHSI from DH.”

I am sorry for the time it has taken to reach a decision on this case.

Since 1 April 2016, Monitor and the NHS Trust Development Authority are operating as an integrated organisation known as NHS Improvement. For the purposes of this decision, NHS Improvement means both Monitor and the TDA.

Decision

I have reviewed NHS Improvement’s original decision, which was to withhold the information that you requested under the exemption in section 43 of the FOI Act (commercial interests). I have decided to overturn that decision and provide the information to you. I do not consider that the exemption in section 43 of the FOI Act is engaged in this case.

Given the quantity and size of the documents requested, the information is being provided to you in zip files.

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 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 'SC', is positioned above the printed name and title of Simon Corben.

Simon Corben

Director and Head of Profession, NHS Estates and Facilities
NHS Improvement