

Martin Butcher
[request-498098-5495d7f1@whatdotheyknow.com](#)

FOI
NEL CSU
Kent House
4th Floor
81 Station Road
Ashford
TN23 1PP

E-mail: NELCSU.foi@nhs.net
www.westkentccg.nhs.uk

23 July 2018

Our Ref: FOI.18.WK090

Dear Mr Butcher

RE: FREEDOM OF INFORMATION REQUEST

Thank you for your request for information under the Freedom of Information Act 2000 received on 17 July 2018 by NHS West Kent Clinical Commissioning Group (CCG). The information you have requested is listed below together with the response:

1) Please provide copies of any policies your CCG has on the commissioning of services for those with an FASD.

I can confirm NHS West Kent CCG does not hold this information.

2) What services has your CCG commissioned to meet the 'reasonable requirements', as is your duty under Section 3 NHS Act 2006, of those in your area who have or may have Foetal Alcohol Spectrum Disorders as a result of antenatal exposure to alcohol, and what is your CCG doing to secure improvement in the physical and mental health of persons with Foetal Alcohol Spectrum Disorders and for the prevention, diagnosis and treatment of FASD (as is in your power under Section 3A NHS Act 2006)? Please release any information you hold concerning provision for:

a. prevention education following the Chief Medical Officers' guidelines that the safest course is not to drink while pregnant or attempting to become pregnant;

NHS West Kent CCG can confirm that education / advice provided by primary care clinicians and midwives: All advice given to women by GPs and midwives regarding alcohol consumption in pregnancy is in line with the Chief Medical Officers recommendations i.e. that alcohol should not be taken in any quantity. This policy is adopted by all of the maternity units in Kent and Medway.

b. diagnosis for both children and adults;

NHS West Kent CCG can confirm that the National FASD Clinic led by Dr Raja Mukherjee of NHS Surrey and Borders Partnership NHS Foundation Trust. Further information can be found by using the following link: <https://www.sabp.frank-digital.co.uk/index.php?CID=631>

c.post-diagnostic care in the years 2013- 2018 from professionals including, but not limited to, paediatricians, GPs, nurses, psychologists, occupational therapists, speech and language therapists, mental health services and other disability support services to provide specialised intervention services for patients on the FASD spectrum across their lifespan?

I can confirm NHS West Kent CCG does not hold this information.

3)Please release any information concerning how is your CCG exercising its duty (as specified under Section 14R NHS Act 2006) to securing “continuous improvement in the quality of services provided” to individuals with Foetal Alcohol Spectrum Disorders “for or in connection with the prevention, diagnosis or treatment” of FASD?

NHS West Kent CCG can confirm that there are no formal commissioned services in place. Should the service be commissioned, it would be subject to a robust system of quality assurance as per all other commissioned services and in line with CCG protocol.

4)What is the budget for commissioned services for FASD in the current financial year?

NHS West Kent CCG can confirm that no budget is allocated specifically to FASD.

What was the budget in financial years beginning in

2013, as above.

2014, as above.

2015, as above.

2016 and as above.

2017? as above.

5)Please release any agreed plans for service expansion for future years.

NHS West Kent CCG can confirm that there are no formally agreed plans in place at present.

6)Has your CCG conducted, commissioned or assisted the conduct of research into any matters relating to the causation, prevention, diagnosis or treatment of Foetal Alcohol Spectrum Disorders, as is in your powers according to Section 5 NHS Act 2006 Schedule 1 (paragraph 13).

NHS West Kent CCG can confirm no.

7)Does your CCG commission services from the National FASD Clinic? If so, what is the budget for this in the current financial year?

NHS West Kent CCG can confirm no.

8)Please release any information concerning ways in which your CCG is fulfilling its duty (specified under Section 14Z, NHS Act 2006) to promote education and training related to FASD?

NHS West Kent CCG can confirm that there is a robust programme of training and education in place for West Kent CCG midwives which is reactive to changes in advice and practice. Training and education is also provided by the Royal College of Midwives and Royal College of Obstetricians and Gynaecologists to their members.

9)Do you have a lead person in your CCG on FASD? Please provide the name and role of the person responsible.

NHS West Kent CCG can confirm no.

10)Please release any information concerning the steps are you taking or have you taken (according to your duty under section 1422 of the NHS Act, 2006), to involve individuals with FASD or their caregivers in “planning commissioning arrangements; in the development and consideration of proposals for change; in decisions affecting the operation of commissioning arrangements where implementation would have an impact on the manner in which services are delivered or the range of services available.”?

I can confirm NHS West Kent CCG does not hold this information.

11)How many inquiries/requests/letters have you received from medical practitioners or patients/families in your area related to FASD in the years 2013-2018?

NHS West Kent CCG does hold this information. The CCG considers that this information is exempt under *Freedom of Information Act 2000, Section 40(2) (personal information)* as disclosure of this level of detail could lead to the identification of individuals, which would be in breach of Data Protection legislation. Although I cannot confirm the exact figure I can confirm that the number in each of these categories is less than five.

The *Freedom of Information Act 2000* introduces a broader concept of risk of personal identifiable information because its test for deciding whether personal data can be disclosed is whether disclosure to a member of the public would breach the data protection principles. This means that public authorities have to assess whether releasing apparently anonymised data to a member of the public would breach the data protection principles.

This is intended to ensure that public authorities take into account the additional information that a member of the public might have (information on the Web or in news reports, public libraries, court records etc.) that could allow data to be combined to produce information that relates to and identifies a particular individual - and that is therefore personal data.

Low statistical values increase the likelihood of seemingly anonymised information being combined with other information to identify an individual.

We hope that this has dealt with your request for information however, should you remain dissatisfied, you have the right to request that we conduct an internal review of the way we have handled your request. If you would like us to conduct such a review please contact us within two months of this letter:

Email NELCSU.foi@nhs.net or

**FOI-Internal Review Request
NEL CSU
Kent House
4th Floor**

**81 Station Road
Ashford
TN23 1PP**

Your request for an internal review will then be processed in accordance with our Freedom of Information Policy.

If you are still dissatisfied following the internal review, you have the right under Section 50 of the Freedom of Information Act (2000) to appeal against the decision by contacting the Information Commissioner. The Information Commissioner provides full and detailed guidance on the Freedom of Information Act and on when and how to complain.

Please find below the link to their website page and their helpline number.

<https://ico.org.uk/for-the-public/official-information/>

Helpline number: 0303 123 1113 or 01625 545745

In line with the Information Commissioner's directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log. Therefore, a version of our response, which will protect your anonymity, will be posted on the NHS West Kent Clinical Commissioning Group website.

Yours sincerely

**Freedom of Information Team
NEL CSU**

This Freedom of Information request has been processed by NEL CSU on behalf of

**NHS West Kent Clinical Commissioning Group
Wharf House
Medway Wharf Road
Tonbridge
Kent
TN9 1RE**

NEL CSU is NEL Commissioning Support Unit and is hosted by NHS England. NEL CSU provides a number of administrative functions including managing Freedom of Information Requests.