



Department of Health & Social Care

Freedom of Information Team
Department of Health and Social Care
39 Victoria Street
London SW1H 0EU

www.gov.uk/dhsc

Ms Amanda Hart
request-661737-bd78f8ce@whatdotheyknow.com

Mr Lee Jefferson
request-662170-82546d7a@whatdotheyknow.com

Ms Gemma Partridge
request-662552-a47576b1@whatdotheyknow.com

1 June 2020

Dear Ms Hart, Mr Jefferson and Ms Partridge,

Freedom of Information Request Reference FOI-1221018 and your 93 other requests

Thank you for your requests which you sent to the Department of Health and Social Care (DHSC). These requests are listed in Annex A.

Your requests have been handled under the Freedom of Information Act (FOIA). To provide the information as the requests are currently framed would exceed the appropriate cost limit as set out in the FOIA.

Section 12(1) of the FOIA provides that public authorities are not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit. Paragraph 1, Schedule 1, Part 1 of the FOIA and regulation 3 of the *Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004* (the Regulations) set the appropriate limit for the DHSC at £600.

Where two or more requests for the same or similar information are made to a public authority within a period of sixty working days, regulation 5(1) and (2) of the Regulations allows that public authority to aggregate those requests.

The Information Commissioner's Office (ICO) advises that when a public authority is estimating whether the appropriate cost limit is likely to be exceeded, it can include the costs of complying with two or more requests if the conditions laid out in regulation 5 of the Regulations can be satisfied. Those conditions require the requests to be:

- made by one person, or by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign;
- made for the same or similar information; and
- received by the public authority within any period of 60 consecutive working days.

Regulation 5(2) of the Regulations requires that the requests which are to be aggregated relate “to any extent” to the same or similar information. This can be applied where there is an overarching theme or common thread running between the requests in terms of the nature of the information that has been requested. DHSC believes that all 94 of your requests made between 1 May and 7 May were for information relating to the delivery of PPE, and were a repeat of your previous request (our ref: FOI-1216920), broken down into 94 new requests. The Department therefore asserts that all the criteria set out by the Regulations have been met.

Although we cannot answer your request at the moment, we may, however, be able to answer a refined request within the cost limit. You may wish to consider, for example, selecting one or two requests from those you have made. Please be aware that we cannot guarantee at this stage that a refined request would fall within the FOIA cost limit, or that other exemptions will not apply.

Please note that the Department is not obliged to respond to further requests on this topic sent in within the next 60 working days.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of this letter and sent to FreedomOfInformation@dhsc.gov.uk, or to the address at the top of this letter.

Please remember to quote the reference number above in any future communication.

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner’s Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/concerns/>

Yours sincerely,

Lauren Der
Freedom of Information Officer
FreedomOfInformation@dhsc.gov.uk

Annex A: Reference numbers of aggregated cases

FOI-1221018	FOI-1223605
FOI-1222549	FOI-1223607
FOI-1222550	FOI-1223608
FOI-1222553	FOI-1223611
FOI-1222554	FOI-1223613
FOI-1222555	FOI-1223614
FOI-1222556	FOI-1223616
FOI-1222557	FOI-1223618
FOI-1222558	FOI-1223619
FOI-1222559	FOI-1223620
FOI-1222560	FOI-1223622
FOI-1222561	FOI-1223623
FOI-1222562	FOI-1223626
FOI-1222695	FOI-1223630
FOI-1222709	FOI-1223632
FOI-1222712	FOI-1223634
FOI-1222716	FOI-1223637
FOI-1222723	FOI-1223638
FOI-1222727	FOI-1223639
FOI-1222732	FOI-1223641
FOI-1222737	FOI-1223642
FOI-1222742	FOI-1223643
FOI-1222749	FOI-1223645
FOI-1223456	FOI-1223646
FOI-1223457	FOI-1223647
FOI-1223504	FOI-1223648
FOI-1223507	FOI-1223649
FOI-1223547	FOI-1223651
FOI-1223550	FOI-1223653
FOI-1223553	FOI-1223654
FOI-1223555	FOI-1223657
FOI-1223556	FOI-1223686
FOI-1223557	FOI-1223687
FOI-1223564	FOI-1223689
FOI-1223565	FOI-1223690
FOI-1223567	FOI-1223691
FOI-1223569	FOI-1223692
FOI-1223571	FOI-1223693
FOI-1223572	FOI-1223694
FOI-1223573	FOI-1223696
FOI-1223575	FOI-1223697
FOI-1223577	FOI-1223698
FOI-1223578	
FOI-1223586	
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FOI-1223603	