



Mr Chris Neurath

By email to: [request-874933-dfc0961c@whatdotheyknow.com](mailto:request-874933-dfc0961c@whatdotheyknow.com)

13 September 2022

Annex A: DHSC response to initial request

Annex B: Request for internal review

Dear Mr Neurath,

## **FREEDOM OF INFORMATION ACT 2000 (FOIA): INTERNAL REVIEW**

### **CASE REFERENCE: IR-1415399 (FOI-1410858)**

You originally wrote to the Department of Health and Social Care (DHSC) on 1 July requesting the names of the members of the Water Fluoridation Health Monitoring Working Group. We responded to you on 15 August and a copy of our response, including the full text of your request, can be found in Annex A.

You subsequently emailed DHSC on 15 requesting an internal review into the handling of your original request. A copy of your email can be found in Annex B.

The purpose of an internal review is to assess how your Freedom of Information (FOI) request was handled in the first instance and to determine whether the original decision given to you was correct. This is an independent review as I was not involved in the original decision.

### **Conclusion**

After careful consideration, I have concluded that the response you received to your FOI request was compliant with the requirements of the FOIA.

It is confirmed that the Department holds information relevant to your request. However, in line with FOI guidance, DHSC are only releasing one individual's details. This member is Professor John Newton – Director Public Health Analysis Unit within the Office for Health Improvement & Disparities. There are other members of the board, however these names have been withheld under section 40(1).

Please note, the membership of this board does change over time

The review is now complete.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner's Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by DHSC.

Guidance on contacting the ICO can be found at <https://ico.org.uk/global/contact-us> and information about making a complaint can be found at <https://ico.org.uk/make-a-complaint>.

Yours sincerely,

FOI Internal Reviews  
[freedomofinformation@dhsc.gov.uk](mailto:freedomofinformation@dhsc.gov.uk)

## Annex A: DHSC response to initial request



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](http://www.gov.uk/dhsc)

Chris Neurath

By email to: [request-874933-dfc0961c@whatdotheyknow.com](mailto:request-874933-dfc0961c@whatdotheyknow.com)

15 August 2022

Dear Mr Neurath,

### **Freedom of Information Request Reference FOI-1410858**

Thank you for your request dated 1 July to the Department of Health and Social Care (DHSC), a copy of which can be found in the accompanying annex.

This was a clarification of your earlier request dated 3 May to DHSC, a copy of which can also be found in the accompanying annex.

Your request has been handled under the Freedom of Information Act 2000 (FOIA) and I apologise for the delay in responding.

I can confirm that DHSC holds information relevant to your request.

There was one member on the 2022 Water Fluoridation Health Monitoring Report Working Group, who remains on it now. He is Professor John Newton, the Director of the Public Health Analysis Unit at the Office for Health Improvement and Disparities.

However, some information is being withheld under Section 40 of the FOIA, which provides for the protection of personal information.

For further information on the use of this exemption, please see the [ICO's guidance on requests for personal data about public authority employees](#).

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 sent to [freedomofinformation@dhsc.gov.uk](mailto:freedomofinformation@dhsc.gov.uk) or to the address at the top of this letter and be submitted within two months of the date 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.

Guidance on contacting the ICO can be found at <https://ico.org.uk/global/contact-us> and information about making a complaint can be found at <https://ico.org.uk/make-a-complaint>.

Yours sincerely,

Freedom of Information Team  
[FreedomOfInformation@dhsc.gov.uk](mailto:FreedomOfInformation@dhsc.gov.uk)

## **Annex B: Request for internal review**

From: AEHSP <request-874933-dfc0961c@whatdotheyknow.com>  
Sent: 15 August 2022 17:37  
To: FreedomofInformation <freedomofinformation@dhsc.gov.uk>  
Subject: Internal review of Freedom of Information request - names of members of the Water Fluoridation Health Monitoring Working Group

[You don't often get email from request-874933-dfc0961c@whatdotheyknow.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Department of Health and Social Care,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Department of Health and Social Care's (DHSC) handling of my FOI request 'names of members of the Water Fluoridation Health Monitoring Working Group'.

My request very plainly requested the names of BOTH the current members of the Working Group AND the members during the time the 2022 report was being prepared. Here is an exact quote from my FOI request:

"I request the names of the individual members of the Water Fluoridation Health Monitoring Working Group during the time the 2022 report was prepared, as well as the current members if any have changed."

Yet the DHSC's response provided the name of only a single member, and who DHSC described as the sole remaining current member:

"There was one member on the 2022 Water Fluoridation Health Monitoring Report Working Group, who remains on it now."

The Working Group obviously had more than one member at the time it worked on the cited 2022 report and presumably has more than one member currently. My request was for all the members during the time the report was prepared and all the current members. It is hard for me to see how this could have been misunderstood. I therefore request as expeditiously as possible that DHSC fully respond to my FOI request with the names and affiliations of all the members during the time the 2022 report was being worked on and all the current members as well.

To clarify the time during which the 2022 report was being prepared: The report has a publication date of 21 March 2022, so that is the last date for members who WERE in the Working Group. The Working Group is required by legislation to produce health monitoring reports every 4 years, as indicated in this quote from the 2022 report:

"Background

The Water Fluoridation Health Monitoring Working Group, on behalf of the Secretary of State for Health and Social Care, is required by legislation to monitor the effects of water fluoridation schemes on health, and to produce reports at no greater than 4-yearly intervals. This report, the third in the series, fulfils this requirement."

The previous fluoridation health report is dated March 2018.

Therefore, I am requesting the names and affiliations of all Working Group members who were members at any time from March 2018 to March 2022, as well as any other people who may have become members from March 2022 to the present, which is August 15, 2022, or whenever this request is filled, whichever is later.

Finally, I note that my initial FOI request for the names and affiliations of all Working Group members was submitted on July 1, 2022 which was 45 days ago, long past the 20 days expected for a response, especially to a simple request such as this.

A full history of my FOI request and all correspondence is available on the Internet at this address:

[https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.whatdotheyknow.com%2Frequest%2Fnames\\_of\\_members\\_of\\_the\\_water\\_fl&data=05%7C01%7Cdhtml%40dhsc.gov.uk%7C8f932886918f42d0351a08da7edf2be8%7C61278c3091a84c318c1fef4de8973a1c%7C1%7C0%7C637961794212148961%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=BFjPM4ToqzM6QKwVe9F%2F%2BuiqYKVcM0q%2BqwkS3AK63y0%3D&reserved=0](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.whatdotheyknow.com%2Frequest%2Fnames_of_members_of_the_water_fl&data=05%7C01%7Cdhtml%40dhsc.gov.uk%7C8f932886918f42d0351a08da7edf2be8%7C61278c3091a84c318c1fef4de8973a1c%7C1%7C0%7C637961794212148961%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=BFjPM4ToqzM6QKwVe9F%2F%2BuiqYKVcM0q%2BqwkS3AK63y0%3D&reserved=0)

Yours faithfully,  
Chris Neurath  
AEHSP