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FOI Ref: 2021015
Date: 26 June 2020
Date response due: 30 June 2020

Jenna Corderoy
<request-668279-2a263952@whatdotheyknow.com>

Dear Jenna

Freedom of Information Act 2000 – Request for Information

We are pleased to respond to your request for information.

This is a request for information under the Freedom of Information Act. I would like to request the following information:

(1) From 1st February 2020 to the day this request is processed, I would like to request all correspondence and communications between this CCG and adult care homes which mention, or refer to, the coronavirus.

(2) From 1st February 2020 to the day this request is processed, I would like to request all correspondence and communications between this CCG and councils, which refer to adult care homes and the coronavirus.

I am happy for you to conduct an electronic search only.

I would like to receive this information in an electronic format. If you feel that a substantive response to this request is not possible within a reasonable time frame, I would be grateful if you could contact me and provide assistance as to how I can refine the request. If you need any clarification, please contact me. I look forward to receiving a response in 20 working days. Many thanks.

Thank you again for your request for information under the Freedom of Information Act.

Having undertaken an assessment of your request, as per the requirements of Section 1, 1(a) of the Freedom of Information Act, NHS Calderdale CCG confirms that it holds information which falls within the scope of your request.

However, our initial assessment in response to your request shows that the cost of complying would exceed the cost threshold as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. As a result, we are refusing your request under section 12 of the Freedom of Information Act 2000.

We have provided a formal refusal notice below (Appendix 1). However, and as invited in your original email, we are happy to work with you to look at how we might reduce the scope of your request to bring it within the timeframe.

The principle reason for the refusal is due to the scope of your request being particularly broad. In the first instance, it would help if you could let us know of any specific issues or topics relating to Adult Care Homes and Local Authorities (concerning Adult Care Homes) in respect of coronavirus that you have a particular interest in. This would help us to narrow the focus of your request and also allow us to consider and suggest how we might make use of the breadth of documentation we hold in returning a response within the timeframe.

We hope that it will be possible for you to work with us to refine the request and look forward to your response.

I trust that this information answers your request. However if you are not happy with our response or the service you have received in relation to your request and wish to make a complaint or request an internal review of our decision you should write to the Chief Officer, NHS Calderdale CCG, 5th Floor, F Mill, Dean Clough, Halifax, HX3 5AX, quoting the reference number above.

If you are not content with the outcome of the complaint or internal review with regards to this Freedom of Information request, you have the right to appeal to the Information Commissioner under Section 50 of the Freedom of Information Act. The Information Commissioner will not investigate your case unless you have exhausted our complaints procedure. The Information Commissioner can be contacted at: The Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Re-Use of Public Sector Information

If you wish to re-use the information you have requested, in whole or in part, please write to myself at NHS Calderdale CCG, 5th Floor, F Mill, Dean Clough, Halifax, HX3 5AX, quoting the reference number above stating the purpose(s) you wish to re-use the information for. You will receive a response within 20 working days of receiving your request with any conditions and charges that relate to the re-use of the information. These will be determined in line with the 'Re-use of Public Sector Information Regulations 2015 (SI 2015 No. 1415).

Yours sincerely

Neil Smurthwaite
Interim Accountable Officer

Refusal Notice (Appropriate Limit and Fees) Regulations 2004

The CCG believes that the cost of complying with your request would exceed the cost threshold as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. As a result, we are refusing your request under section 12 of the Freedom of Information Act 2000.

Section 12 of the Act allows a public authority to refuse a request if the cost of providing the information to the applicant would exceed the 'appropriate limit' as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

The Regulations provide that the appropriate limit to be applied to requests received by public authorities is £450 (equivalent to 2.5 days of work). In estimating the cost of complying with a request for information, an authority can only take into account any reasonable costs incurred in:

*“(a) determining whether it holds the information,
(b) locating the information, or a document which may contain the information,
(c) retrieving the information, or a document which may contain the information, and
(d) extracting the information from a document containing it”.*

We have made an assessment of your request. In undertaking this assessment we have considered the period of time the request relates to; how many staff/teams may hold relevant documents, the amount of documentation potentially held by each team, the type and nature of those documents, how that information is held, and the work that would need to be completed to provide it to you. Details arising from the assessment can be found below.

The CCG undertook a high level scoping exercise across the whole organisation in order to identify individuals and teams who could potentially hold relevant documentation in relation to both questions. From this it was established that a very significant number of documents would be held by a significant number of staff members across the CCG's teams. The documents would be held in individual and shared email accounts and electronic folders. From further discussions with teams it was established that the process of retrieving these documents by electronic search would still be complex and time consuming given the number of documents involved, the search criteria that would need to be applied and the range of third parties involved over the four month period in question. Taking these factors into consideration, the CCG is of the view that the work required to provide the information requested for either or both questions would exceed the appropriate limit and are refusing your request under the act.