



NEL,
1 Lower Marsh,
London,
SE1 7NT

Email: NELCSU.foi@nhs.net

Dear Ms Campuzano

Reference: FOI.18.SUT181

6 December 2018

Re: Freedom of Information request

Thank you for your request under the *Freedom of Information Act 2000* (the Act). This response is provided on behalf of NHS Sutton Clinical Commissioning Group (CCG). Your request along with the CCG's response is detailed below.

I am investigating how accessible it is to get breast reduction surgery on a non-cosmetic basis through the NHS.

1. Do you fund breast reduction surgery at all? If you do, what criteria do you follow to determine who gets it? (Muscular pain, skin irritation or infections, etc.)

I can confirm that NHS Sutton Clinical Commissioning Group does hold this information. The CCG considers that this information is exempt from disclosure under the Freedom of Information Act 2000, Section 21, as the information is reasonably accessible by other means.

This information is contained in the South West London Effective Commissioning Initiative 2017, which provides a set of patient criteria to inform the commissioning of clinical interventions in South West London. This document is available on the CCG website under the Effective Commission Initiative (ECI) and by using the following link:

<https://www.suttonccg.nhs.uk/News-Publications/publications/Pages/default.aspx>

2. **How long is the waiting time for patients to get assessed by a surgeon after they've been referred by their GP, if they are thought to be eligible for the surgery?**

NHS Sutton CCG does not hold this information.

3. **How long is the waiting time for a panel of representatives to review the case after a patient has been assessed by a surgeon?**

NHS Sutton CCG does not hold this information. For individual funding requests (IFRs) every effort is made to provide a decision within 20 working days of receipt of a fully completed application form. For Prior Approval Requests we endeavour to provide a decision within 3 working days.

4. **How many cases for breast reduction surgery have you reviewed in the last 10 years, and how many of these have been successful, with a breakdown of each year and patient age?**

Please note the NHS Sutton CCG was established on 1 April 2013 and does not hold data prior to that date.

NHS Sutton CCG does hold the number of cases reviewed for years 2013 -2018. Please see the table below. The CCG does not hold a breakdown for patient age.

| Kingston | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 |
|-----------------------|---------|---------|---------|------------------|------------------|------------------|
| Total received | 0 | 0 | 0 | See note 1 below | See note 1 below | See note 1 below |
| Total approved | 0 | 0 | 0 | See note 1 below | 0 | See note 1 below |
| Total declined | 0 | 0 | 0 | 0 | See note 1 below | See note 1 below |

Note 1

NHS Sutton CCG does hold this information. The CCG considers that this information is exempt under the *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.

5. What options do you offer patients if they are unsuccessful in getting breast reduction surgery through the NHS?

The IFR process is in place if a patient does not meet the prior approval criteria set out within the Effective Commissioning Initiative Policy and the Clinician feels there are clinically exceptional circumstances.

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NELCSU.foi@nhs.net

Postal address

NEL,
1 Lower Marsh,
London,
SE1 7NT

Website address

www.nelcsu.nhs.uk

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<http://nationalarchives.gov.uk/documents/information-management/ogl-user-guidance.pdf>

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We will record your contact and request details in order to monitor and improve the service we provide and in order to discharge our statutory obligations under the Act. This information will be handled in accordance with the NHS Confidentiality Code of Practice and the *Data Protection Act 2018*.

Using personal data we provide

You are required not to use personal data which is provided to you for electronic marketing (telesales, fax, e-mail) to our staff and comply with the Privacy and Electronic Communications (EC Directive) Regulations 2003. Provision of such personal data in response to a Freedom of Information or Environmental Information request does not constitute consent from the individual concerned.

The *Data Protection Act* gives individuals rights to prevent processing likely to cause substantial unwarranted damage or unwarranted distress (section 10) and to prevent processing for the purposes of

direct marketing (section 11). You should be aware that selling, giving or sharing of personal data could breach the *Data Protection Act*. NEL advises staff of their rights on behalf of Clinical Commissioning Groups.

Review procedure

If you feel that we have not met the requirements of the Freedom of Information Act 2000, you should contact the FOI Team at: NELCSU.foi@nhs.net

If you remain dissatisfied, you can ask us to review our decision by making a written request for an internal review. In order to assist with the review, you should include your address, a description of the original request and the reasons why you are dissatisfied. Please send this to:

Email

NELCSU.foi@nhs.net

Postal address

NEL CSU,
1 Lower Marsh,
London,
SE1 7NT

Website address

www.nelcsu.nhs.uk

The review will be handled by more senior staff who were not involved in the original decision. Although this will not apply to Section 36 claimed exemptions in accordance with Department of Health Directive, your request will still be reviewed. We aim to complete all internal reviews within 20 working days. If you then wish to appeal you should contact the Information Commissioner for an independent review at the following address:

Telephone

01625 545745

Postal address

The Information Commissioner,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF

Website address

www.ico.gov.uk



Feedback

Your feedback is welcome to help us improve the service we provide. Please send comments or suggestions to our address.

Yours sincerely,

Freedom of Information Team

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