

21st September 2018.
Our ref: NIC-226007-M9H2C

Dear Sandre,

Re: Information Request – Freedom of Information Act (FOIA) 2000

Thank you for your email dated 22 August 2018 requesting the following information:

“Please would you be able to provide copies of correspondence from NHS Digital to any/all commissioner and provider organisations relating to TPP's failure to implement Type 2 opt outs?”

We have considered your request and in accordance with S.1 (1) of the Freedom of Information Act 2000 (FOIA) I can confirm that we are unable to provide you with the information that you have requested.

Unfortunately, NHS Digital is unable to respond to this question, as this would take too long to compile.

It would not be possible for us to extract this information as it would take longer than the appropriate cost limit of 18 hours to collate, as defined in the Freedom of Information Act 2000.

This is on the basis that we would have to check with a number of key personnel to determine whether they hold any correspondence that would fall in scope.

Therefore, this question is exempt for release under Section 12 of the Freedom of Information Act 2000. Section 12 of the FOIA provides an exemption from a public authority's obligation to comply with a request for information where the cost of compliance is estimated to exceed the appropriate limit. The Fees Regulations state that this cost limit is £450 for public authorities such as NHS Digital.

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 Digital website.

I trust you are satisfied with our response to your request for information. However, if you are not satisfied, you may request a review from a suitably qualified member of staff not involved in the initial query, via the enquiries@nhsdigital.nhs.uk email address or by post at the above postal address.

Your request to NHS Digital will now be closed on our internal CRM (customer relationship management) system.

Yours sincerely,

Abi Simpson
Information Assurance Advisor

Further information about your right to complain under the Freedom of Information Act is available from the Information Commissioner's Office, Wilmslow, Cheshire, and on The Information Commissioner's website www.ico.org.uk.

NHS Digital values customer feedback and would appreciate a moment of your time to respond to our Freedom of Information (FOI) Survey to let us know about your experience. Please access the survey through this link [here](#)