



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

Gemma Partridge
request-694595-cf4aeace@whatdotheyknow.com

15/12/2020

Dear Ms Partridge,

Freedom of Information Request Reference FOI-1266718

Thank you for your request dated 27 October, in which you asked the Department of Health and Social Care (DHSC):

*Dear Department of Health and Social Care,
In June 2020 your department claimed (contrary to Apple's statement) that The NHS's digital innovation unit had discussed its ambitions with Apple and NHSX has been working with Google and Apple extensively
Fol request one of two: Please kindly supply the minutes of meetings held between 'NHSX' and Apple between December 2019 and June 2020 inclusive.
Fol request two of two: Please kindly supply the minutes of meetings held between 'NHSX' and Google between December 2019 and June 2020 inclusive.
Source for public reference: <https://www.bbc.com/news/technology-53105642>
NHSX: <https://www.nhsx.nhs.uk/>*

Clarified as:

"Upon reviewing the BBC's article, which states Downing Street said the government had 'worked closely with Apple and Google' but goes on to quote Apple saying the government have not spoken to us. It appears the government claims that this is in relation to a contact-tracing app. With this in mind, we are only interested in minutes from meetings held with Apple and Google in relation to the term contact-tracing app."

Your request has been handled under the Freedom of Information Act (FOIA).

I can confirm that the Department may hold information relevant to your request. However, to comply with your request as it is currently framed would exceed the cost limit as set out in Section 12(1) of the Freedom of Information Act. Section 12(1) states that a public authority can refuse a

request if complying with it would exceed the appropriate limit of £600 (which represents 3.5 working days). This represents the estimated cost of one person spending this time in determining whether the information is held, and locating, retrieving and extracting the information.

It may help if I explain that, this request would require a number of staff who work within the App team to search through a significant volume of internal documents (including emails), which will need then to be reviewed in order to respond to this request. To review this volume of documents would take considerable time and would therefore exceed the appropriate cost limit. Consequently, we will not be able to answer your request.

Although we cannot answer your request at the moment, we may be able to answer a refined request within the cost limit. You may wish to consider narrowing your request to read outs from a particular meeting that you are interested in, in which case we may be able to continue processing your request. 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.

You may find it useful to see the list of dates DHSC officials met with Apple and Google, available online at: <https://questions-statements.parliament.uk/written-questions/detail/2020-06-19/61677>

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,

Le-Anne Frankson
Freedom of Information Officer
FreedomOfInformation@dhsc.gov.uk