

Ashok Kumar
By Email

31 May 2017
Our ref: IR198340

Dear Mr Kumar

Freedom of Information Request

Thank you for your request for information received on 28 April 2017 requesting the following:

- 1. The organisation structure as at today for the adult social care team with names of heads of departments and team members?*
- 2. Please also send me the range (minimum and maximum) of weekly rates being paid for residential and nursing care for older people (excluding one to one care). Please separately state for the older people client group, the range (minimum and maximum) of one to one fees being paid.*

This request is being handled under the Freedom of Information Act 2000.

I can confirm that Lambeth Council holds the information you requested. However, we are withholding some of that information since we consider that the following exemptions apply to it. I have enclosed copies of the information that is not being withheld.

I can confirm that we have reviewed your request and can advise as follows:

The rates we currently pay for residential care range from £382.50 per week to £537.00 per week. The rates for nursing care range from £508.00 per week to £727.00. These nursing rates are inclusive of NHS FNC rates, which are currently £155.05 standard rate and £213.32 higher rate. Some of the lower rates for both residential and nursing care may be for placements outside greater London.

Please also see the attached structure chart detailing senior staff members.

However we consider disclosure of non-senior staff details would breach the first principle of the Data Protection Act and therefore engage Section 40(2): Personal Data to this request. The definition of personal data is set out in Section 1 of the Data Protection Act 1998 as follows:-

*“Personal data” means data which relate to a living individual who can be identified—
(a) from those data, or
(b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller,
and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual;*

We note this request asks for information which would allow an individual(s) to be identified. I have considered whether it would be fair to disclose the information including whether disclosure would cause any unnecessary or unjustified damage or distress to the individual concerned; the individual's reasonable expectations of what would happen to their information; and balancing the rights and freedoms of the data subject with legitimate interests.

In this case, I can confirm that it would not be fair to the individuals to disclose information about non-senior staff as it could cause distress to the individuals.

I do not consider that the individuals would expect the Council to disclose any information which may allow them to be identified. Although I acknowledge the legitimate interest in disclosing general information relating to non-senior staff, I do not consider the legitimate interest overrides the rights and freedoms of the individual on this occasion.

In accordance with Section 17 FOIA this letter represents a Refusal Notice for this request.

Right to Review

I hope that this information is useful. If you are dissatisfied with the way in which your request has been dealt with you can request an internal review. Tell us why you are unhappy with our response within 40 working days, and we will consider if the response was responded to correctly. We will aim to provide you with our review response within 20 working days. Please email xxx@xxxxxxx.xxx.xx

If you are unhappy with the review you have a further right to appeal to the Information Commissioner's Office, which regulates the implementation of the Freedom of Information Act. The Commissioner can be contacted at the following address: <https://ico.org.uk/global/contact-us/>
If you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at:

The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire, SK9 5AF
Telephone: 0303 123 1113
Website: www.ico.gov.uk

Yours sincerely

Leah Nairne
Complaints & Information Officer
London Borough of Lambeth
Website: www.lambeth.gov.uk

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email: xxx@xxxxxxx.xxx.xx

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