

James Withington  
Request-598626-a64f409d@whatdotheyknow.com

Date: 16<sup>th</sup> September 2019  
Ref: 19-102

Dear James,

RE: Freedom of Information request

I am writing in response to your e-mail received on the 21<sup>st</sup> August 2019 for information held by NHS Leeds CCG ("CCG") under the provisions of the Freedom of Information Act 2000 ("the Act") and on behalf of the CCG. For ease of reference your query has been reproduced below along with our response.

Query:

Please can you provide under the Freedom of Information Act a structure chart for the CCG inclusive of all 'Heads of Service,' 'Assistant Directors' and Directors with the full job titles and the names of individuals who hold these positions.

Response:

Please see attached organisational charts.

We have withheld the names of members of staff which fall below the level of Band 8D. This is because NHS Leeds CCG believes that disclosure of this information would breach the First Principle of the Data Processing Act 1998 which calls for *fair* processing. This is because we regard this information as personal information of individuals who are not already in the public domain or who have not given consent. Hence disclosure of this information without consent would be *unfair*. The First Principle of the Data Processing Act 1998 also requires any disclosure to be lawful and therefore must not breach any other law. This CCG feels that disclosure would breach Article 8 of the Human Rights Act 1998 which protects the right to respect personal information even in the workplace, making disclosure unlawful.

As a result NHS Leeds CCG has applied the exemption provided by Section 40 subsection 2 of the Freedom of Information Act 2000 which protects the personal information of an individual or group of individuals, as the condition laid down in Section 40 sub-section 3 (a) (i) of the same Act has been satisfied.



I would like to draw your attention to the provisions of the Re-use of Public Sector Information Regulations 2005. I should point out that the information we have supplied is the property of the CCG and subject to Intellectual Property and Database Rights. Any commercial application or use of this information may be subject to the provisions of the above Regulations. This means that if you wished to re-use any of the information provided for commercial purposes you would need to ask us for permission to do so. Should we agree that you can use the information it will be subject to the issue of a licence which may or may not involve a fee.

If for any reason you are unhappy with the service you have received in relation to your request, you have a right to appeal to an independent officer within NHS Leeds CCG. They will re-examine your request and assess whether we have adhered to the requirements of the act. Should you wish to follow this course of action please address your concerns in writing to the above address.

If you continue to be dissatisfied, you have the right to contact the Information Commissioner. Generally, the Commissioner cannot make a decision until you have exhausted the CCG's complaints procedure. Should you wish to contact the Information Commissioner, you can do by writing to The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely



**Visseh Pejhan-Sykes**

**Chief Finance Officer and Senior Information Risk Officer (SIRO)**

