



**Bradford City
Clinical Commissioning Group**

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FOI Ref: 1210FOI1415BC Review

26 March 2015

Ms Julie Laws
Email: request-243070-af604f50@whatdotheyknow.com

Dear Ms Laws,

Freedom of Information Act 2000 – Request for Internal Review

Thank you for your request for a review under the Freedom of Information Act 2000 dated 16th December 2014. In line with Section 36 of the Freedom of Information Act 2000 Code of Practice (Guidance to Public Authorities etc...), we are happy to respond to your request for an Internal Review of our decision. I would also like to apologise for our late response to your request for a review.

1) Your Original Request dated 7th December 2014.

How many of the GPs working in your CCG have disclosed a holding or interest in either a standard pharmacy or a 100hr pharmacy?

What is the governance policy to prevent any conflicts of interests or abuse of position?

How many ccg board members have an interest in either a standard pharmacy or a 100hr pharmacy?

2) Our Original Response dated 15th December 2014.

Exception 21

The information requested is available on our website and we are therefore applying an exemption under Section 21 – 'information easily accessible to the applicant by other means'. To assist you with your request we have provided a link to the relevant page on the website below:

<http://www.bradfordcityccg.nhs.uk/about-us/our-governing-body/>

This page provides the link to the register of interest for the CCG board members and further information relating to how we manage conflicts is within the CCG constitution, also on our website.

<http://www.bradfordcityccg.nhs.uk/wp-content/uploads/2012/05/NHS-Bradford-City-CCG-constitution-July-2014.pdf>

3) Your Request for an Internal Review dated 16th December 2014.

I am writing to request an internal review of NHS Bradford City Clinical Commissioning Group's handling of my FOI request 'Pharmacies owned by practising GPs'.

The information on this page is not upto date can you confirm when you intend to provide upto date information.

4) The Internal Review Process.

According to Section 36 of the Freedom of Information Act 2000 Code of Practice (Guidance to Public Authorities etc...), Internal Reviews must be conducted in a fair and impartial manner and should involve a fresh consideration of the information and paperwork and a thorough re-examination of the original decision and/or the handling of a request. This review should also be carried out by someone senior and unconnected with the original decision. The review must be open to the genuine possibility of an amendment or a reversal of the original decision. In order to satisfy this requirement, the original decision must be re-examined, including any and all exemptions and the results of any public interest tests which were used to decide the balance of public interest wherever a qualified exemption was applied.

5) Terms of Reference of the Internal Review

In order to satisfy the requirements of Section 36 of the aforementioned Code of Practice, NHS Bradford City CCG has called upon the services of a senior manager not employed by this CCG and who was not involved in the original decision. One additional senior manager from within NHS Bradford City CCG was also a member of the independent review.

Your request for an Internal Review queried the accuracy of the information found at the links provided in our response accompanying the use of a section 21 exemption.

6) Decision of the Internal Review

The review found that the exemption available under section 21 was correctly applied at the time as the information requested was available at the links provided. The register of interest that was displayed at the link to NHS Bradford City's website was the latest version available at the time, so it was quite correct to use the exemption and to link to this information.

NHS Bradford City CCG's Governance Manager is in the process of updating the register following staff changes and so that Clinical Speciality Leads can be included. The CCG expects this to be complete and the new registers published by the end of February or soon after.

The CCG's conflicts of interests policy has been reviewed and approved by the governing body in January 2015 in order to satisfy the new requirements published by NHS England in late December 2014.

This can now be found on the website as part of the governing body papers at the following link:

<http://www.bradfordcityccg.nhs.uk/governing-body-meetings-2015/governing-body-meeting-14th-january-2015/attachment/2015-13-bc-ccg-conflicts-of-interest-policy-v2-0/>

We trust this review meets with your satisfaction.

7) Appeals Process

If you are not content with the outcome of this internal review, you have the right to appeal to the Information Commissioner under Section 50 of the Freedom of Information Act 2000.

The Information Commissioner can be contacted at this website:

http://ico.org.uk/concerns/getting/report_concern_foi

Or by post:

Customer Contact,
The Information Commissioners Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire SK9 5AF.

Yours sincerely



Ian Oultram.
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Yorkshire and Humber Commissioning Support
On behalf of NHS Bradford City CCG.