



## Department of Health & Social Care

Freedom of Information Team  
Department of Health and Social Care  
39 Victoria Street  
London  
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[www.gov.uk/dhsc](http://www.gov.uk/dhsc)

Mr Peter John  
request-618982-2f6af4c4@whatdotheyknow.com

6 December 2019

Dear Mr John,

### **Freedom of Information Request Reference FOI-1196648**

Thank you for your request dated 11 November in which you asked the Department of Health and Social Care (DHSC):

*"Subject: Freedom of Information request - Preservation of Material for IICSA*

*Dear Department of Health and Social Care,*

*I understand that you were asked to ensure that information of relevance to IICSA was retained.*

*Please provide/ answer the following*

*1 How does DHSC define 'relevant' ?*

*2. How many files have been retained beyond the usual retention period due to this policy?*

*3. How much has this cost the department? "*

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

#### **Question 1: How does DHSC define 'relevant'**

In relation to the Independent Inquiry into Child Sexual Abuse (IICSA), DHSC does not have the information you have requested. Due to the number of inquiries DHSC is involved with there is a moratorium on destruction so everything is being retained in order to provide records to the various inquires, such as IICSA, Gosport, Infected Blood etc.

#### **Question 2: How many files have been retained beyond the usual retention period due to this policy?**

DHSC does not hold the information you have requested.

DHSC does hold the total number of files that match this criteria but do not hold a number specifically relating to IICSA inquiry.

#### **Question 3: How much has this cost the department**

I can confirm that the Department holds information relevant to your request.

However, we consider that this information is exempt under Section 43 of the Freedom of Information Act (FOIA), which exempts from the general duty to release information which would, or would be likely to, prejudice the commercial interests of any entity, including the public authority holding the information.

Section 43 is a qualified exemption and, as such, we are required to assess the public interest in withholding this information against that of its release. We recognise a general public interest in the money spent by Government departments

However, we also consider that this information is commercially sensitive as releasing the cost of storage would reveal the commercial information of the company supplying DHSC with storage facilities. Therefore, we consider that releasing this information would not be in the public interest, as this would discourage other organisations from dealing with DHSC if it knew commercial information would be revealed.

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 receipt of the response to your original letter and should be addressed to the address at the top of this letter, or the email address at the end of this letter.

Please remember to quote the reference number above in any future communications.

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 SK9 5AF

<https://ico.org.uk/concerns>

Yours sincerely,

Ed Franklyn  
Freedom of Information Officer  
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