

3<sup>rd</sup> February 2017

Mr Jimmy Hamill  
[request-380347-a68669d2@whatdotheyknow.com]

Our ref.: FOI/17/006

Dear Mr Hamill

**RE: Freedom of Information (FOI) request – Learning Disability Capitation Share**

We refer to your Freedom of Information request which was received by the Western Health and Social Care Trust on 6<sup>th</sup> January 2017. Please see below a Trust response to your queries.

- 1. Slide number 3 in the WHSCT presentation refers to a report called 'WHSSB Learning Disability Report (2000/1)'. Can a copy of this report be provided – preferably in pdf format?***

This report was produced by the Western Health and Social Services Board, which was superseded in 2009 by the Health and Social Care Board (HSCB). The HSCB have authorised the release of this report (see attached enclosure 1).

- 2. Slide number 9 states: "In a workshop in May 2015 with Western Trust Board, the Director of Finance of the Health and Social Care Board gave a presentation on equity which highlighted that the Trust had more than its overall capitation share of investment and there was a difference in investment across Programmes of Care in the Western LCG area."***

***Can details of this May 2015 workshop mentioned be provided? This should include but need not be limited to:***

- Date and location of workshop***

There is a workshop at every Trust Board meeting which deals with confidential business. This presentation was part of the confidential section of Trust Board meeting held on 7 May 2015 in the Lecture Theatre, South West Acute Hospital, Enniskillen.

- ***Agenda for workshop***

This item was dealt with under the confidential section of the Trust Board agenda (5/15/16 - see attached enclosure 2) held on 7<sup>th</sup> May 2015 in the Lecture Theatre, SWAH (South West Acute Hospital).

- ***Attendees at workshop***

See attendees noted on minutes of public session. In addition, a number of HSCB staff attended this session.

- ***Minutes of workshop & Copy of presentation delivered by Director of Finance, HSCB at workshop***

It is the Trust view that this information is exempt under section 41 (Information Provided in Confidence) of the Freedom of Information Act and therefore cannot be put into the public domain by the Trust.

This exemption under section 41 of the Act applies where information was received from another person or organisation external to the Trust and was imparted in circumstances importing an obligation of confidence. As the presentation delivered by the Director of Finance of the HSCB, and the related minute, was part of the confidential section of Trust Board meeting, it is the Trust view that this has the necessary quality of confidence and to comply with this part of your request would be a breach of confidence. Section 41 is an absolute exemption under the FOI Act which does not require a public interest test; however the Trust has considered the public interest in disclosure and believes there is an overriding interest in maintaining the confidence of issues discussed at Trust Board meetings under confidential business.

You may wish to discuss this further with the Health and Social Care Board.

We hope you find this response helpful. Please contact us at the below address if you have any further queries.

Yours sincerely

(not signed – issued by email)

**Freedom of Information Office  
Western Health and Social Care Trust**

Freedom of Information (FOI) Office, Administration Building,  
Altnagelvin Hospital site, Glenshane Road, Londonderry, BT47 6SB  
e-mail: [foi.request@westerntrust.hscni.net](mailto:foi.request@westerntrust.hscni.net)

*Freedom of Information: If you are unhappy as to how this request has been handled, you have the right to seek a review within the Trust in the first instance. You should write to the FOI Office, Administration Building, Altnagelvin Hospital, Glenshane Road, Londonderry BT47 6SB ([foi.request@westerntrust.hscni.net](mailto:foi.request@westerntrust.hscni.net)) within two months of the date of this response and your complaint will be considered and a response provided, usually within 20 working days of receipt.*

*If, after receiving a response, you remain unhappy, you can refer your complaint to the Information Commissioner at The Information Commissioner's office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. It is important to note that if you refer any matter to the Information Commissioner, you will need to show evidence of having gone through the Trust's internal review procedure to try to resolve the matter with the Trust in the first instance.*