

Our ref: SF/sb/FOI 259-17/18: Taylor  
Your ref:  
Date: 13 February 2018

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Dear Mr Taylor

**Freedom of Information Act Request: Ref FOI 259-17/18:  
CCG Response on behalf of the Cambridgeshire and Peterborough Sustainability &  
Transformation Partnership (STP)**

I am writing further to your request made under the Freedom of Information Act 2000 received by the CCG's FOI Team on 23 January 2018. NHS Cambridgeshire and Peterborough Clinical Commissioning Group's response, on behalf of the Cambridgeshire and Peterborough STP, is set out below:

The response has been produced in liaison with the STP Service Development Unit.

Request

***"Could you please release the minutes of meetings of the STP board which have been held to-date; along with the agenda for any upcoming meeting(s). "***

Response

The STP Board remains at a development stage and has not yet been established as a formal Board. The Terms of Reference, reporting mechanisms and other governance arrangements are still subject to ratification. I can confirm three meetings of this '*Shadow Board*' have been held since September 2017.

Having considered your request, and in light of the above, the CCG has determined that agenda and minutes of the existing forum should be exempt from disclosure at this time under Section 36 of the Freedom of Information Act - Prejudice to the effective conduct of public affairs. The exemption has been applied because it is the reasonable opinion of the CCGs 'Qualified Person' that disclosure of this information under the Act would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs in accordance with Section 36(2)(c) of the Act. For your information Section 36(2) requires that, other than for statistical information, the Qualified Person for the relevant public authority must give their reasonable opinion that the exemption is engaged. For the CCG the qualified person is the Accountable Officer (Sheila Bremner – Chief Officer). For your information Sheila is also the designated Accountable Officer for the Cambridgeshire and Peterborough STP.

This opinion has been arrived at because there is a fundamental need for the CCG and other partner organisations involved in the development of the STP to have a 'safe space' in which to develop ideas and proposals, debate live issues and reach conclusions away from external interference and distraction. The premature disclosure of documents relating to this could result in information being released that was inaccurate, misleading or no longer pertinent, which in turn may have a prejudicial

impact on any subsequent engagement with the public. The Information Commissioner's Guidance makes it clear that the argument for using this exemption is strongest when the issue under consideration is still live, which continues to be the case in this instance.

The public interest test in relation to releasing this information has been applied. The CCG fully recognises that there is a genuine interest in the public having transparent access to information which allows them to be kept informed about the use of public funds, as is the need to promote understanding of the decision making processes of public bodies, particularly in relation to the development and commissioning of services. However, on balance it was felt there was a strong public interest in ensuring that organisations involved in the development of the STP have the ability and 'space' to fully discuss and evolve ideas and proposals before formally engaging with the public.

I can advise that once the STP Board has been formally established, meetings of the forum will be held in public. A specific date cannot be given at this point, but it is anticipated this action will be implemented within the next few months.

If you are dissatisfied with how your request has been handled or would like to formally appeal against our response please address your concerns, in writing, to the Freedom of Information Team at NHS Cambridgeshire and Peterborough Clinical Commissioning Group at Lockton House, Clarendon Road, Cambridge CB2 8FH: Telephone: 01223 725400  
email: [CAPCCG.freedomofinformation1@nhs.net](mailto:CAPCCG.freedomofinformation1@nhs.net)

If, after we have addressed your concerns, you remain dissatisfied with how the CCG has responded, you are entitled to appeal to the Information Commissioner's Office at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Further details can be found at <https://ico.org.uk/>.

Please do not hesitate to contact me if I can be of any further assistance.

Yours sincerely



**Sharon Fox**  
**Associate Director of Corporate Affairs (CCG Secretary)**