

14 May 2012

Dr Éoin Clarke



Independent Regulator
of NHS Foundation Trusts

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By email

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request-113600-ef7ed8c4@whatdotheyknow.com
request-113834-7a09cc51@whatdotheyknow.com
request-113921-1561199a@whatdotheyknow.com
request-113924-bf170af8@whatdotheyknow.com
request-113967-584afd5e@whatdotheyknow.com
request-113971-a0bebe0d@whatdotheyknow.com
request-113601-9945eb78@whatdotheyknow.com
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Dear Dr Clarke,

Requests under the Freedom of Information Act 2000 ("FOI Act")

You made a number of FOI Act requests to Monitor between the dates of 16 and 19 April 2012 which relate to Monitor's future functions. This letter contains Monitor's response on most of those requests. You will receive separate responses on the remaining requests.

The Health and Social Care Act 2012, which recently gained Royal Assent on 27 March 2012, will establish Monitor as the sector regulator for healthcare. Although the legislation conferring our future functions has been passed, it has not yet come into force. This requires statutory commencement orders to be made by the Department of Health. Monitor is working with the Department to establish when this will happen and we will update our website with commencement information as and when it becomes available. We are currently developing our plans for carrying out the new functions and will consult on our approach later this year. There is more information on our future role here: <http://www.monitor-nhsft.gov.uk/monitors-new-role/overview>. Until the legislation is commenced, Monitor's role remains as the independent regulator of NHS foundation trusts.

Decision

Monitor holds virtually none of the information you have requested. The only information we hold is our conflicts of interest policy. This is available on our website and I have provided you with a link to it. I have set out at the Annex to this letter a summary of each the requests covered by this letter and a response, in most cases directing you to another public body which may hold the information you seek.

Review rights

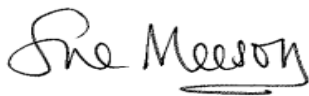
If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with

the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within Monitor of the issue or the decision. A senior member of Monitor's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review conducted by Monitor, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, Monitor, 4 Matthew Parker Street, London SW1H 9NP or by email to foi@monitor-nhsft.gov.uk.

Yours sincerely,

A handwritten signature in black ink that reads "Sue Meeson". The signature is written in a cursive style, with the first name "Sue" and the last name "Meeson" clearly legible. There is a small horizontal line under the "n" in "Meeson".

Sue Meeson

Director of Public Affairs and Communications

Annex

Date	Request	Monitor Response
16 April 2012 8.54am	How many bids Virgin Care have made to run, or takeover parts of NHS Services that have reached the stage of preferred bidder status or beyond. Include overall value of the bids and list of contracts.	This is not information Monitor holds in its current role as regulator of NHS foundation trusts. You could try contacting primary care trusts for this information: http://www.nhs.uk/servicedirectoriest/pages/primarycaretrustlisting.aspx
16 April 2012 8.58am	How many bids SERCO have made to run, or takeover parts of NHS Services that have reached the stage of preferred bidder status or beyond. Include overall value of the bids and list of contracts.	This is not information Monitor holds in its current role as regulator of NHS foundation trusts. You could try contacting primary care trusts for this information: http://www.nhs.uk/servicedirectoriest/pages/primarycaretrustlisting.aspx
16 April 2012 9.08am	Can you provide a list of all established CCGs throughout England? Can you include at least 1 name, and 1 email contact for each CCG?	This is not information Monitor holds in its current role as regulator of NHS foundation trusts. I suggest contacting the Department of Health or the NHS Commissioning Board at http://www.commissioningboard.nhs.uk/ once it is fully operational.
16 April 2012 9.20am	Please send me all current Clinical Commissioning Group "Action Logs" that include specific information and explicit mention of Virgin Care.	This is not information Monitor holds in its current role as regulator of NHS foundation trusts. I suggest contacting the Department of Health or the NHS Commissioning Board at http://www.commissioningboard.nhs.uk/ once it is fully operational.
16 April 2012 10.08am	Please can you provide details and content of all email communication, phone calls and meetings between Department of Health officials and senior employees for Virgin Care from 12 September 2011 to 16 April 2012?	Monitor does not hold this information. You would need to request this information from the Department of Health.
18 April 2012	I wish to view a list of the declarations of conflict of interest that have been made by every CCG Board	This is not information Monitor holds in its current role as regulator of NHS foundation trusts. I suggest contacting the Department of Health or the NHS Commissioning Board at http://www.commissioningboard.nhs.uk/ .

12.33pm	member.	once it is fully operational.
	I wish to be sent a copy of your conflict of interest policy as it is a matter of great public interest that the individuals who are now members of CCG boards are complying with the government's conflict of interest regulations.	Monitor's conflict of interest policy is available here: http://www.monitor-nhsft.gov.uk/about-monitor/careers-monitor/our-policies-and-procedures Please note that this policy only applies to Monitor staff - it does not apply CCG board members or to any other public official.
19 April 2012 9.45am	Can you please send a breakdown of referrals that were sent to private providers by each GP since April 2011?	This is not information Monitor holds in its current role as regulator of NHS foundation trusts. You could try contacting primary care trusts to see if they hold this information: http://www.nhs.uk/servicedirectories/pages/primarycaretrustlisting.aspx
	Can you include in that a breakdown of the specialisms to which the GPs referred the patients to and the medical condition (or best diagnosis) as to what the patients were suffering?	
19 April 2012 9.51am	Please can you tell me when the tender went out to prospective bidders to bid for Sussex Health Services?	This is not information Monitor holds in its current role as regulator of NHS foundation trusts. We suggest you contact NHS Sussex: http://www.westsussex.nhs.uk/nhs-sussex-home
	Please can you tell me the date that Virgin Care became the preferred bidder?	
	Please can you tell me the annual value and length of the contract signed?	
19 April 2012 1.18pm	Please can you list for me the date of every Clinical Commissioning Group Merger that has occurred since they were first set up.	This is not information Monitor holds in its current role as regulator of NHS foundation trusts. I suggest contacting the Department of Health or the NHS Commissioning Board at http://www.commissioningboard.nhs.uk/ . once it is fully operational.
	Can you provide me with details of the emails, meetings, telephone calls that took place between prospective merger partners in advance of these mergers?	

	Can you please outline the guidance you provide to CCGs who wish to merge?	
	Can you please outline what steps you are taken to map the mergers and whether or not you will be conducting assessments of the impact these are having on equality for provision especially for poorer areas?	
19 April 2012 1.27pm	<p>Please can you provide me with a list of every contract for NHS services you have invited bids for since May 2010?</p> <p>(include those that have been settle and those where the tender date has closed and those where you are still accepting bids)</p>	Monitor is the independent regulator for NHS foundation trusts. We do not commission NHS services.
	Please can you list all successful bids for new contracts to supply NHS services since May 2012, can you also list the name of the company whose bid was accepted?	
	Can you provide me with the general criteria you apply to bids to help you select the preferred bidder?	