

H Steenkoolstad  
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NEL CSU  
1 Lower Marsh  
London  
SE1 7NT  
Email: [NELCSU.foi@nhs.net](mailto:NELCSU.foi@nhs.net)

Dear H Steenkoolstad

Reference: FOI.19.COR119

24 September 2019

**Re: Freedom of Information request**

Thank you for your request under the *Freedom of Information Act 2000* (the Act). This response is provided on behalf of NHS Corby Clinical Commissioning Group (CCG). Your request along with the CCG's response is detailed below.

**Context:**

**Who have you commissioned to provide any of the following orthotic devices which are vital to prevent damage and pain to the lower spine in long-term manual wheelchair users?**

**1) A measured spinal-restriction-brace, designed to stop long-term wheelchair users prevent stress induced damage and pain to their lumbar-sacrum region, where the spine joins the pelvis;**

**2) Power-assist motors such as:**

- \* Trike attachments**
- \* Pushers such as the Alber Smoov and Permobile Smart-drive**
- \* Joystick- and push-rim- controlled hub motors?**



**FOI questions:**

- 1. Please send me the minutes of the meetings discussing this essential support for wheelchair users, and a copy of the contract you commissioned.**
- 2. If nothing has been commissioned, or if nothing has been considered for commissioning, what is the official protocol to get the consideration of such orthotic devices put onto the agenda? Is there a form members of the public can fill in?**
- 3. Have you commissioned a study showing how many people have been immobilised with medical complications because the essential orthotic devices are not freely accessible, and what the cost is to the health system for these avoidable medical complications? If no such study has been undertaken, has one ever been suggested, and why was the study not actioned? How can such a study be instigated?**
- 4. Please also provide data showing if any of the above orthotic devices have been provided under the Individual Funding Request system, and if so, which overseeing clinical pathway was responsible for identifying the device required, e.g.:**

**GP**

**Wheelchair service**

**Orthotic Department**

**Spinal Orthopedic Surgeon**

**Neurologist**

**Neurosurgeon**

**Pain Clinic**

**Orthotic Department**

**Occupational Therapy Department**

**Physiotherapy Department**

**Etc.**

**Questions 1 - 4**

The CCGs' reporting systems do not allow this information to be extracted as a standalone piece of data. In order for the CCG to respond to Question 2, the CCGs would need to review and redact all minutes of meetings convened where wheelchairs, orthotics and community equipment were discussed over the tenure of the CCG. Discussions around these subjects take place in a large number of forums, and which in several cases would be commercially sensitive and therefore would need to be reviewed and redacted on a case by case basis under the public interest test. In addition, because of the size of the cohort impacted by this, there is also a risk of patient identification. The CCG estimates that, the manual exercise to retrieve

this information would exceed the appropriate limit set out in section 12(1) (cost limit) of the Freedom of Information Act 2000. Currently this is set at £450 for the CCG, which equates to 18 hours or more of an officer's time.

Under the Section 16 duty to provide advice and assistance, the CCGs may be able to comply with a refined request. For example, you may wish to remove Question 2 from the request. Alternatively, you could reduce the focus or scope of the request to a narrower timeframe.

Please note that these are only suggestions of what the CCGs would be able to provide and not categorically what they can provide within the prescribed cost limit.

You will need to resubmit any refined request via [nelcsu.foi@nhs.net](mailto:nelcsu.foi@nhs.net).

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- Specify the document to be re-used,
- State the purpose for which the document is to be re-used

#### **Email**

[NELCSU.foi@nhs.net](mailto:NELCSU.foi@nhs.net)

#### **Postal address**

NEL  
1 Lower Marsh  
London  
SE1 7NT

#### **Website address**

[www.nelcsu.nhs.uk](http://www.nelcsu.nhs.uk)

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<http://nationalarchives.gov.uk/documents/information-management/ogl-user-guidance.pdf>

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### **Privacy Notice (formerly known as Fair Processing Notice)**

We will record your contact and request details in order to monitor and improve the service we provide and in order to discharge our statutory obligations under the Act. This information will be handled in accordance with the NHS Confidentiality Code of Practice and the *Data Protection Act 2018*.

### **Using personal data we provide**

You are required not to use personal data which is provided to you for electronic marketing (telesales, fax, e-mail) to our staff and comply with the Privacy and Electronic Communications (EC Directive) Regulations 2003. Provision of such personal data in response to a Freedom of Information or Environmental Information request does not constitute consent from the individual concerned.

The *Data Protection Act* gives individuals rights to prevent processing likely to cause substantial unwarranted damage or unwarranted distress (section 10) and to prevent processing for the purposes of direct marketing (section 11). You should be aware that selling, giving or sharing of personal data could breach the *Data Protection Act*. NEL advises staff of their rights on behalf of Clinical Commissioning Groups.

### **Review procedure**

If you feel that we have not met the requirements of the Freedom of Information Act 2000, you should contact the FOI Team at: [NELCSU.foi@nhs.net](mailto:NELCSU.foi@nhs.net)

If you remain dissatisfied, you can ask us to review our decision by making a written request for an internal review. In order to assist with the review, you should include your address, a description of the original request and the reasons why you are dissatisfied. Please send this to:

#### **Email**

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#### **Postal address**

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#### **Website address**

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The review will be handled by more senior staff who were not involved in the original decision. Although this will not apply to Section 36 claimed exemptions in accordance with Department of Health Directive, your request will still be reviewed. We aim to complete all internal reviews within 20 working days. If you then wish to appeal you should contact the Information Commissioner for an independent review at the following address:

**Telephone**

01625 545745

**Postal address**

The Information Commissioner,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF

**Website address**

[www.ico.gov.uk](http://www.ico.gov.uk)

**Feedback**

Your feedback is welcome to help us improve the service we provide. Please send comments or suggestions to our address.

Yours sincerely,

**Freedom of Information Team**

NEL