

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 17 October 2017

Public Authority: North West London Clinical Commissioning Groups

Address: 2nd Floor
15 Marylebone Road
London
NW1 5JD

Decision (including any steps ordered)

1. The complainant has requested information relating to a position he says was created and also information about its staffing arrangements. North West London Clinical Commissioning Groups ("NWLCCG") failed to respond to the request within the statutory time for compliance.
2. The Commissioner considers that NWLCCG breached section 10(1) of the FOIA in the handling of this request.
3. The Commissioner requires no steps to be taken.

Request and response

4. On 13 July 2017, the complainant wrote to NWLCCG and requested information in the following terms:

"In BMA article 27 June, Northwest London STP was identified as creating just one job relating to STP at a cost of 17,300. This was the lowest amount of all STPs listed. This does not appear a true reflection at face value and natural questions arise about what has been hidden and requires further investigation. As a consequence of this you are requested to:

Confirm the job title of this position, where and when advertised, how many applications were received. Is this a fixed or permanent role? Start date of this role?

Confirm how much was paid to PA consultancy firm from the start of their contract to date (breakdown amount of spend by month) for their services related to STP support. Confirm how many consultants were employed, whether they still are, whether they were/are full-time or part-time and how many days per week they are contracted to work? Provide a description of the work undertaken by PA consultants since the start of contract to date. For each consultant, confirm the equivalent NHS band that they were paid at (i.e. Band 9 and spinal point or VSM).

Confirm how much was paid to Venn Group from start of contract to date (breakdown amount of spend per month) for their services related to STP support. Confirm how many Venn Group staff were employed and whether they are still are?

Supply a copy of the PA consultancy contract (redacted as required).

Confirm current staffing arrangements for the STP (including internal, external, secondments and staff working on STP on a part-time basis or not part of their substantive role).

I am particularly interested in the period of work undertaken since January 2017. My request relates to all activities on the STP (noting production of the plan has past)."

5. NWLCCG responded to the request on 22 September 2017.

Scope of the case

6. The complainant first contacted the Commissioner on 7 September 2017 to complain about the way his request for information had been handled. At this time, the complainant had not received a response from NWLCCG to his request. Following the Commissioner's intervention a response was issued on 22 September 2017. Although the complainant has now received a response to his request, he requires a decision notice recording any procedural breaches of the FOIA.
7. The Commissioner has therefore considered whether NWLCCG dealt with this request in accordance with its obligations under section 10(1) of the FOIA.

Reasons for decision

8. Section 1(1) of the FOIA states:

"Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him"

9. Section 10(1) of the FOIA states:

"Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt".

10. In this case, the request was made on 13 July 2017 and the response was not provided until 22 September 2017, 32 days after the statutory period had lapsed [response due 10 August 2017]. The Commissioner therefore finds that NWLCCG breached section 10(1) of the FOIA in failing to respond within 20 working days of receiving the request.

Right of appeal

11. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504
Fax: 0870 739 5836
Email: GRC@hmcts.gsi.gov.uk
Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

12. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
13. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Pamela Clements
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF