



**Liverpool**

**Clinical Commissioning Group**

Corporate Services

NHS Liverpool Clinical Commissioning Group

The Department

Lewis's Building

Renshaw Street

Liverpool

L1 2SA

Ref: 62053

2<sup>nd</sup> October 2019

Email:

Email: [foi@liverpoolccg.nhs.uk](mailto:foi@liverpoolccg.nhs.uk)

Dear

**Re: Freedom of Information Request**

Thank you for your Freedom of Information request that we received on 12<sup>th</sup> September 2019, with regards to correspondence between the CCG and named MP.

**Request / Response:**

1. Under FOI can I see ALL communication between the CCG and RC MP since July 2017

**Response: We have received the following communication from RC**

- **24/07/2017 – MP letter received regarding the arrangements for the appointment of a new Chair of the CCG Governing Body. The MP was advised the process is governed by the terms of the CCG Constitution that is accessible on our website <https://www.liverpoolccg.nhs.uk/about-us/publications/plans-reports-and-strategies/>**
- **24/07/2017 – FOI request received (Ref: 39629). Response is available on our publication scheme <https://www.liverpoolccg.nhs.uk/media/2636/39629-response-letter-draft.pdf>**
- **13/11/2017 – MP letter received. November 2017 – NHS Liverpool CCG was copied in to an email that was sent to the Chief Officer at Aintree Hospital regarding one of her constituents. As this is patient data, we will not be disclosing the content of this correspondence and are applying an exemption under Section 40 of the FOI Act.**

- 21/11/2017 – FOI request received (Ref: 43021). Response is available on our publication scheme  
<https://www.liverpoolccg.nhs.uk/media/2802/43021-response-dec-2017-final.pdf>  
  
<https://www.liverpoolccg.nhs.uk/media/2396/37086-response-letter-to-sponsorship-agreements-foi-request.pdf>  
  
<https://www.liverpoolccg.nhs.uk/media/2801/43021-2015-16-nhs-liverpool-ccg-conflicts-of-interests-final-report.pdf>  
  
<https://www.liverpoolccg.nhs.uk/media/3931/conflicts-of-interest-review-final-report-151215.pdf>
- 30/11/2017 – FOI request received (Ref: 43243). Response is available on our publication scheme  
<https://www.liverpoolccg.nhs.uk/media/2806/43243-response-dec-2017-final.pdf>
- 17/05/2018 – FOI request received (Ref: 48599). Response is available on our publication scheme  
<https://www.liverpoolccg.nhs.uk/media/3118/48599-response-letter-to-health-work-foi.pdf>
- 29/08/2018 – FOI request received (Ref: 51383). Response is available on our publication scheme  
<https://www.liverpoolccg.nhs.uk/media/3354/response-letter-51383.pdf>
- 24/09/2018 – MP Letter received regarding a meeting at Mersey Care NHS Foundation Trust. We will not be disclosing the content of this correspondence and are applying an exemption under Section 41 of the FOI Act. Section 41 provides that information is exempt if it was provided in confidence. The information discussed at the meeting with Mersey Care was shared with the CCG in the strictest confidence. It is our view that disclosure of such information would constitute an actionable breach of confidence and so disclosure would also be unlawful under the Act. In these circumstances, Section 41 of the Freedom of Information Act confers an absolute exemption on disclosure and there is no requirement to balance the public interest test.
- 01/10/2018 – FOI request received (Ref: 52165). Response is available on our publication scheme  
<https://www.liverpoolccg.nhs.uk/media/3930/response-letter-52165.pdf>

- **05/03/2019** – MP letter received regarding neonatal care at Liverpool Women’s Hospital. This was redirected to NHSE as we do not commission the service.
- **17/06/2019** – FOI request received (ref: 59556). Response is available on our publication scheme  
<https://www.liverpoolccg.nhs.uk/media/3885/59556-response-letter-17072019- version-22.pdf>
- **07/08/2019** – Subject Access Request received from MP. The MP was advised that the request would not be responded to as the scope of the request was too large.
- **14/08/2019** – MP Letter received regarding staff employment. We will not be disclosing the content of this correspondence and are applying an exemption under Section 40 of the FOI Act as it constitutes personal data. We believe that disclosure would breach the legitimate expectation of the individual’s rights to protection of their personal information. This would not be fair to the individuals concerned and disclosure would therefore be in breach of the first principle of the Data Protection Act 2018. Section 40 (2) is an absolute exemption and there is, therefore, no public interest to be considered.
- **02/10/2019** – MP letter received with same questions as those received in letter on 14/08/2019. We will not be disclosing the content of this correspondence and are applying an exemption under Section 40 of the FOI Act as it constitutes personal data. We believe that disclosure would breach the legitimate expectation of the individual’s rights to protection of their personal information. This would not be fair to the individuals concerned and disclosure would therefore be in breach of the first principle of the Data Protection Act 2018. Section 40 (2) is an absolute exemption and there is, therefore, no public interest to be considered.

Once an FOI request is answered, it is considered to be in the public domain. To promote transparency, we may now publish the response and any material released on the CCG’s publication scheme. All personal information in the letter will be removed before publishing.

We wish to take this opportunity to inform you that a formal complaints and internal review procedure is available to applicants who are unhappy with responses provided to FOI requests. You can formally request an internal review within a reasonable period of time (2 calendar months) from the date this response was issued.

Where you are not satisfied with the decision of the internal review you may apply directly to the Information Commissioners Office (ICO) for a further review of that decision. Generally, the ICO cannot make a decision unless you have exhausted our complaints procedure in the first instance.

The ICO can be contacted at:

Information Commissioners Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

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

Should you require any further information, clarification regarding this response or do not feel that your request has been answered as you would expect, please contact us to discuss.

Yours sincerely,

**Corporate Services Team**  
**NHS Liverpool CCG**