

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 7 June 2023

**Public Authority:** NHS England  
**Address:** Quarry House  
Quarry Hill  
Leeds  
LS2 7UE

#### Decision (including any steps ordered)

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1. The complainant requested information relating to the services of an individual at NHS England (NHSE).
2. The Commissioner's decision is that NHSE breached section 10(1) of FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. As a response to the request has been provided, no steps are required.

#### Request and response

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4. On 15 March 2023, the complainant wrote to NHSE and requested information in the following terms:

"As an FOI request, please disclose if since July 2021 when [NAME REDACTED] was sacked by [TRUST REDACTED], NHS England has purchased [NAME REDACTED]'s services in any capacity, whether directly or via another party such as the Good Governance Institute.

Please disclose the number of occasions on which his services were purchased, the total number of days work purchased, the type of services purchased and the total amount spent. As part of this, please clarify if [NAME REDACTED] did indeed work on ICS

governance, and if he did, on which ICS did he work.

Please also disclose which NHSE senior managers signed off these expenses, and under which NHSE directorate these expenses fell.

Please also disclose the total amount that NHS England has spent on the Good Governance Institute's services since July 2021, irrespective of which directorate purchased these services. (sic)"

5. NHSE provided the complainant with a substantive response to their request on 6 June 2023.

## Reasons for decision

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6. Section 1(1) of FOIA states that:

"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."

7. Section 10(1) of FOIA states that a public authority must respond to a request promptly and "not later than the twentieth working day following the date of receipt".
8. From the evidence provided to the Commissioner in this case, it is clear that NHSE did not deal with the request for information in accordance with FOIA. The Commissioner finds that NHSE has breached section 10(1) by failing to respond to the request within 20 working days.

## Right of appeal

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9. 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: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

10. 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.
11. 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 .....**

**Catherine Fletcher**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**