



Great Yarmouth and Waveney
North Norfolk, South Norfolk
Norwich, West Norfolk
Clinical Commissioning Groups

16 August 2018

FREEDOM OF INFORMATION – DECISION NOTICE

Dear Requester

FOI Reference Number: 18384

I refer to your email of 21 July requesting information regarding details of payments made to pharmacies for locally commissioned NHS or private services.

I can confirm on behalf of North Norfolk, South Norfolk, Norwich and West Norfolk CCGs and in accordance with S.1 (1) of the Freedom of Information Act 2000 (FOIA) that we do not hold the information that you have requested. A response to your request is detailed below:

I was wondering if I could please request details of payments made to pharmacies for locally commissioned NHS or private services, for example smoking cessation, emergency hormonal contraception, supervised consumption of medicines, & needle exchange services.

If you could kindly provide this in spreadsheet(s) format, with a breakdown by pharmacy (name and address), month, service, and payment, I would greatly appreciate it (if you also have the ODS code identifier for the pharmacy, then please kindly include this also). If possible, details of the most recent 12 months worth of payments.

Norfolk County Council Public health are the main commissioner of community pharmacy services including smoking cessation, sexual health, supervised consumption etc. so we would recommend you contact the Public Health department at [Norfolk County Council](#) for the information you require.

However, the CCGs commission one service from the community pharmacies - Pharmacy Funded Emergency Supply Scheme.

The remuneration is made up of:
Reimbursement of actual drug costs
Dispensing fee
Consultation fee

The total value of fees for the period 01/04/2017 to 13/03/2018 was £80,482.

All 193 pharmacies in Norfolk and Waveney are signed up to provide the service but only 155 were active during this period

We consider the breakdown by pharmacy and the payment amount to be exempt from disclosure pursuant to section 43(2) of the Freedom of Information Act 2000 (FOIA). S43(2) relates to information that is exempt that could have a detrimental effect on the commercial interests of "...any person." The Norfolk and Waveney CCGs consider that at this time the commercial interests of the third parties involved would be detrimentally impacted upon. Please see the public interest test below:

Public Interest Test

It is recognised that the breakdown by pharmacy and the payment details sought in this question could provide transparency in the use of public funds by the CCG and the NHS in general. It could also assist the general populous with transparency in decision making by the CCG and it's transactions with third parties.

Conversely to the factors demonstrated above in favour of disclosure, it is felt that the third party suppliers could be disadvantaged should the details of the payment details be made available. Suppliers compete with one another in a competitive environment and to provide the value of any this payment amount could allow rival companies to undercut our current suppliers.

As a result, it is in the Norfolk and Waveney CCG's opinion that this sufficiently demonstrates the prejudice which would be caused through disclosure.

Balance Test

It is important to bear in mind that any disclosure under the FOI Act is a disclosure to the public at large and not just to the applicant. We recognise that there is a general public interest in the Norfolk and Waveney CCGs being open and transparent. However, we do not believe that this public interest is served in disclosure for damage that would be caused as outlined above.

Therefore, we consider that releasing this information would not be in the public interest, as the public interest does not outweigh the prejudice as set out above.

I hope that this answers your queries with the information we currently hold, but if I can be of any further assistance please do not hesitate to contact me.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to

Arden & GEM CSU
FOI Team, Room 18
Scarsdale
Newbold Road
Chesterfield
S41 7PF

Email agcus.foi.norfolkwaveneyccgs@nhs.net

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided the CCG.

The Information Commissioner can be contacted at: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, telephone 0303 123 1113, email casework@ico.org.uk

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Yours faithfully

Lindsay Parker

FOI Officer, Arden & GEM CSU

**On behalf of
North Norfolk, South Norfolk
Norwich and West Norfolk CCGs**