



Freedom of Information request & West Norfolk CCG response

WN-2015-00007 – Primary Care Rebate Schemes

Which Primary Care Rebate schemes are you currently engaged in and what methods are used to implement the schemes?

All CCGs use a small amount of rebates and all are subject to a confidentiality clause. Section 41(1) of the Freedom of Information Act sets out an exemption from the right to know if the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

Furthermore, Section 43(2) of the Freedom of Information Act sets out an exemption from the right to know if release of the information would, or would be likely to, prejudice the commercial interests of any person.

It is considered that the commercial interests of the companies providing the rebates would be likely to be prejudiced if we release the information requested, as it would alert their competitors to the rebates and allow them to approach the CCGs.

As these are qualified exemptions we must consider whether the public interest in withholding the information outweighs the public interest in disclosing it.

The main factor in favour of withholding the information is set out in the exemption ie there is a strong public interest in ensuring that the commercial interests of the companies providing the rebates are not prejudiced. If such prejudice occurs they will be less likely to offer rebates.

Factors in favour of disclosure of the information are as follows:

- 1. Furthering the understanding of and participation in the public debate of issues of the day.*
- 2. Promoting accountability and transparency by public authorities for decisions taken by them and in the spending of public money.*
- 3. Allowing individuals and companies to understand decisions made by public authorities affecting their lives.*

In terms of implementing the schemes; no rebate is used unless it has gone through the Prescqiipp Rebate Board (Prescqiipp is a national body based in Cambridge).