



## Freedom of Information request & West Norfolk CCG response

### WN-2017-00034 – Continuing Healthcare

1. A database of all Continuing Healthcare cases *currently managed by your CCG* , including:
  - a) The start date of the case

*Please see the attached document.*

*Please note, in respect to the blank sections in the attached document these are patients that are CHC Eligible as at 15/05/17 but do not have a cost for the period 15/16 and/or 16/17. For example this may be where patients are newly eligible and awaiting a care package to be put in place.*

- b) The yearly cost of each case *by year* for as many years as that information is available

*Please see the attached document.*

*Please note, in respect to the blank sections in the attached document these are patients that are CHC Eligible as at 15/05/17 but do not have a cost for the period 15/16 and/or 16/17. For example this may be where patients are newly eligible and awaiting a care package to be put in place.*

- c) In the case of patients in a home care setting:
    - i. The third-party provider contracted by CHC to provide care

*Please see the attached document.*

*Please note, in respect to the blank sections in the attached document these are patients that are CHC Eligible as at 15/05/17 but do not have a cost for the period 15/16 and/or 16/17. For example this may be where patients are newly eligible and awaiting a care package to be put in place.*

**ii. Where possible a list of companies who quoted for that contract whenever it was initially tendered or subsequently renewed.**

*The CCGs have set contract prices so we do not seek quotes but instead award work based on provider availability and patient choice. As such, due to the nature of care contracts being arranged based on clinical need, availability and patient choice, contractors do not bid in a competitive process for the services delivered.*

*Some very complex cases are negotiated separately based upon clinical need. The CCG are withholding this information under section 40(2) of the Freedom of Information Act 2000.*

*Section 40(2) of the Act provides an exemption to the disclosure of information where it is:*

- *the personal data of someone other than you; and*
- *the disclosure of that personal data would put us in breach of the principles of the Data Protection Act 1998 ("DPA"), with which we are obliged to comply.*

*Personal data means data which relate to a living individual who can be identified –*

*(a) from those data, or*

*(b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller,*

*and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.*

*The personal data within the withheld information is not public and disclosure of this information to the world at large would be unwarranted, does not add to the substantive understanding of the information disclosed, would cause substantial damage and distress to those data subjects involved, and thus would be unfair and in breach of the first DPA principle and, as such, is exempt from disclosure under section 40(2) of the Act.*

*Given how contracts will only be negotiated for very complex cases based specifically upon clinical need (and based in a home care setting); there is a likelihood that given their unique cases and conditions, disclosure may elude to a specific patient who has been diagnosed with a rare/severe condition. Responses issued under the Freedom of Information Act 2000 should be considered as being released to the whole public. The public may be able to identify the patient coupled with additional information obtained via other means.*

*The CCG have also separated the current CHC cases from the actual care provider as the release of this information in this format is exempt under section 40(2) of the Freedom of Information Act 2000.*