



## Freedom of Information request & West Norfolk CCG response

### WN-2017-00109 – Calculating Personal Health Budgets

1. Please confirm whether the attached Cost Calculation Form has previously been used for the purposes of calculating Personal Health Budgets (PHBs) for patients on Continuing HealthCare in your area.

*Yes, as this is the standard Cost Calculation form it will be used for everyone using the Personal Health Budget service.*

2. Please confirm which version of the form this is.

*It is not possible to tell which version it is from the document provided.*

3. Please confirm the dates that this tool was used to and from.

*The information requested is not held by the CCG. The Personal Health Budget team do not record the exact dates a form is in use for.*

4. For the year 2016/7, please confirm that the following cuts were made during the PHB calculation process:

- a) <£30,000 per annum, a 4% cut [adjustment] is applied.
- b) >£30,000 and <£50,000 per annum an 8% cut [adjustment] is applied.
- c) >£50,000 and <£90,000 per annum a 13% cut [adjustment] is applied.
- d) >£90,000 and <£120,000 per annum a 19% cut [adjustment] is applied.
- e) >£120,000 per annum a 26% cut [adjustment] is applied.

*Clarification received*

***I can clarify that I am asking whether the cuts detailed in question 4 are applied when calculating Personal Health Budgets.***

*As there are no cuts applied to Personal Health Budgets the CCG have interpreted your request relates to the adjustments made during the PHB calculation process. These adjustments were made simply to help calculate the amount required to fund patient's clinically-assessed needs. They reflect the costs of a PHB when compared to the full cost to the CCG to commission services from a private domiciliary care service. As outlined in the attached supporting document which is being provided outside the scope of the FOI Act to aid understanding; significant overheads and margins are applied when services are commissioned from an agency that are not required under PHB auspices.*

**5. Please confirm that the CCG commissions PHB services from NEL CSU.**

*Yes.*

**6. Please confirm how many PHB holders in your area had their budgets managed for the 2016/7 year by the NEL CSU PHB Team.**

	<b><i>PHB holders between 2016/17 managed by NEL CSU PHB team</i></b>
<b><i>NHS North Norfolk CCG</i></b>	<i>Between 27 - 32</i>
<b><i>NHS South Norfolk CCG</i></b>	<i>31</i>
<b><i>NHS West Norfolk CCG</i></b>	<i>Between 16 - 21</i>

*As you have requested a breakdown of this information by cost bracket in question 7, the CCG are unable to provide an exact number of PHB holders during 2016/17 which were managed by NEL CSU by virtue of section 40(2) of the FOI Act.*

*There are patients which fall into the category of receiving >£90,000 in the response to question 7 which are fewer than or equal to five; if the CCG were to provide the total number of patients for question 6 this would reveal exactly how many patients fall into the less than five bracket thus breaching data protection.*

*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.*

*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.*

**7. Please confirm how many of the PHB holders at 6) (above) were in the following PHB cut brackets:**

- a) <£30,000
- b) >£30,000 and <£50,000
- c) >£50,000 and <£90,000
- d) >£90,000 and <£120,000
- e) >£120,000

	<i>NHS North Norfolk CCG</i>	<i>NHS South Norfolk CCG</i>	<i>NHS West Norfolk CCG</i>
<i>&lt;£50,000</i>	14	14	9
<i>£50,000 to £90,000</i>	13	8	7
<i>&gt;£90,000</i>	<5	9	<5

*Please note that the number of patients in other brackets is being withheld under section 40(2) of the FOI Act, which relates to personal information of third parties. Where a number of individuals are fewer than or equal to five, we are unable to disclose the exact number of patients, as under section 40(2), the small number of individual patients per band are such that there may be a risk of patient identifiability.*

*Under the FOI Act disclosure of this information would breach the fair processing principle contained in the Data Protection Act (DPA), where it would be unfair to that person/is confidential. Releasing this information would breach the data protection protocol as it would be unfair to release individuals' details when they did not intend them to be used in such a way.*

*Section 40(2) is an absolute exemption and therefore not subject to the public interest test when considering disclosure of information.*

**8. Please confirm with which other CCGs you commission the NEL CSU PHB Service.**

*NHS North Norfolk CCG, NHS South Norfolk, NHS West Norfolk CCG and NHS Norwich CCG all commission a Personal Health Budget service from NEL CSU.*