

31 January 2017

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E: [nhsi.enquiries@nhs.net](mailto:nhsi.enquiries@nhs.net)  
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By email

Dear [REDACTED]

### **Request under the Freedom of Information Act 2000 (the “FOI Act”)**

I refer to your email of 3 January 2017 in which you requested information under the FOI Act from NHS Improvement. Since 1 April 2016, Monitor and the NHS Trust Development Authority (NHS TDA) are operating as an integrated organisation known as NHS Improvement. For the purposes of this decision, NHS Improvement means Monitor and the NHS TDA.

#### **Your request**

You made the following request:

*Please send me details of the Secondment process for the following individuals:*

*Miles Scott  
Karen Jackson*

*The details should include:*

- 1. Length of Secondment*
- 2. Remuneration*
- 3. Recruitment/selection process, including confirmation whether the roles were subject to open competition*
- 4. Whether the role was new, or pre-existing (and if so, for what period).*

#### **Decision**

NHS Improvement holds the information that you have requested.

NHS Improvement has decided to withhold some of the information that it holds on the basis of the applicability of the exemption in section 40 of the FOI Act as explained in detail below.

#### **Miles Scott**

The role was not subject to open competition and has been filled via a temporary secondment arrangement. The job role is not a newly created role and NHS Improvement

has a number of such roles within the organisation. NHS Improvement is a new organisation bringing together the NHS TDA and Monitor and there was always going to be a need for support to build the new organisation from people who have significant provider sector experience at a senior level.

### Karen Jackson

The role is new and was not subject to open competition. Our national team providing support to help drive the Accident and Emergency recovery plan and its consequent programme of work, requires dedicated Chief Executive level support to deliver the activities set out in the plan, particularly given the importance of stabilising and improving A&E performance in the NHS. The skills and competencies are quite specific and the secondment has enabled NHS Improvement to obtain the necessary support, which we have previously found difficult to secure. Two individuals had been under consideration for the role, but the other withdrew at a late stage.

### Section 40 - personal data

I consider that some of the information is exempt from disclosure under section 40(2) and 40(3)(a) of the FOI Act on the grounds that it contains personal data and that the first condition under section 40(3)(a) is satisfied, namely, that disclosure would amount to a breach of the first data protection principle (personal data shall be processed fairly and lawfully). This is an absolute exemption and consideration of the public interest test is not required.

The information withheld includes the remuneration of both individuals and other details of the secondment arrangements, such as the length of secondment.

### Review rights

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within NHS Improvement of the issue or the decision. A senior member of NHS Improvement's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, NHS Improvement, Wellington House, 133-155 Waterloo Road, London SE1 8UG or by email to [nhsi.foi@nhs.net](mailto:nhsi.foi@nhs.net).

### Publication

Please note that this letter will shortly be published on our website. This is because information disclosed in accordance with the FOI Act is disclosed to the public at large. We will, of course, remove your personal information (e.g. your name and contact details) from the version of the letter published on our website to protect your personal information from general disclosure.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alan Farmer', with a long horizontal flourish extending to the right.

**Alan Farmer**  
Director of HR