

22 December 2016

Wellington House
133-155 Waterloo Road
London SE1 8UG

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E: nhsi.enquiries@nhs.net
W: improvement.nhs.uk

By email

Dear [REDACTED]

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

We refer to your email of 23 November 2016 in which you requested information under the FOI Act from NHS Improvement. We apologise for the delay in replying. Since 1 April 2016, Monitor and the NHS Trust Development Authority (“the TDA”) are operating as an integrated organisation known as NHS Improvement. For the purposes of this decision, NHS Improvement means both Monitor and the TDA.

Your request

You made the following request:

“Please can you provide me with a spreadsheet containing the following annual data for each NHS Trust/Foundation Trust over the period FY2005 to FY2014:

- (i) the accounting deficit/surplus;*
- (ii) the accounting turnover;*
- (iii) the accounting deficit/surplus as a % of accounting turnover.*

To the extent that there are various definitions of deficit/surplus and turnover, please use the definition that is consistent with the data used by Monitor to compute the Financial Risk Ratings at the time.

For each NHS Trust/Foundation Trust please also provide the associated NHS organisation code. To the extent that organisations have changed status (e.g. from NHS Trust to NHS Foundation Trust) please include these as separate entries.”

Decision

NHS Improvement holds the information that you have requested, but we have not been able to progress your request in full, because to do so would exceed the cost limit under section 12 of the FOI Act.

Cost Limit under section 12 of the FOI Act

Under section 12(1) of the FOI Act, NHS Improvement is not required to comply with any request that potentially exceeds the relevant cost limit. The relevant cost limit is £450, which is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. This equates to a period of approximately 18 hours in which to locate, retrieve and extract the information that you have requested.

In NHS Improvement's view, compliance with your request will exceed this limit for the following reasons:

1. The scope of the request is very broad, covering financial data for both NHS foundation trusts and NHS trusts over a period of 10 years
2. The information for NHS foundation trusts was held by Monitor separately from the information for NHS trusts held by the TDA. Although NHS Improvement was formed in April 2016, most of the financial information you request remains in separate databases.
3. Although there is on-going work to bring the databases together into a common dataset, this has been completed only in respect of the period 2012/13 to 2015/16. For the earlier periods within the scope of your request, to locate, retrieve and extract the data in accordance with your request would require a substantial amount of work for our team. We estimate this would significantly exceed 18 hours.

Advice and assistance provided under section 16 of the FOI Act and partial disclosure

Under section 16 of the FOI Act, NHS Improvement is required, as a public authority, to provide advice and assistance so far as is reasonable, to individuals who have made a request to it under the FOI Act.

Given the time it would take to produce all of the information sought in the requested format, we have considered whether a more limited set of information could be provided. Rather than asking you to narrow the scope of your request, we have decided to provide the information which is available from our common datasets – i.e. the information the period 2012/13 to 2015/16. Please see the attached annex to this letter.

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.

Publication

Please note that this letter and the attached information 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,

Sector Reporting and Analysis
NHS Improvement