



**The Clatterbridge
Cancer Centre**
NHS Foundation Trust

Clatterbridge Road
Bebington
Wirral
CH63 4JY

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Date: 22 January 2021

Re: Freedom of Information Request
Ref: 297-2020

Thank you for your email dated the 22nd December 2020, requesting final reports of external reviews carried out by any of the member colleges of the Academy of Medical Royal Colleges into the trust/any hospitals in the trust between 1 Jan 2018 and 1 Dec 2020.

The information that you require is as follows:

Please provide the final reports of external reviews carried out by any of the member colleges of the Academy of Medical Royal Colleges into your trust/ any hospitals in your trust between 1 Jan 2018 and 1 Dec 2020.

Please redact any personal/ identifying information as required

I can confirm that the Trust has had one invited review carried out in the period requested.

Following our review we are unable to provide a copy of the report as to do so would breach the Data Protection Act and General Data Protection Principles (GDPR).

In these circumstances, in making our decision, the application of Section 40(2) of the Freedom of Information Act 2002 and Article 5 (1) of the GDPR and Section 36(2) of the Freedom of Information Act is relied upon. Section 40(2) of the FOIA provides that information is exempt from disclosure if it is the personal data of an individual other than the requester. Furthermore, there is a requirement, in accordance with Article 5(1) GDPR that the personal data is processed lawfully, fairly and in a transparent manner in relation to individuals. The report contains identifiable information throughout and where individuals are not identified by name, the details and specific circumstances within the report are such that individuals would be identified.

In addition, Section 36(2) of the FOIA states that information is exempt from disclosure if in the reasonable opinion of a qualified person, disclosure of the information would or would likely inhibit the free and frank provision of advice or the free and frank exchange of views for the purposes of deliberation or would otherwise prejudice, or would be likely otherwise to prejudice the effective conduct of public affairs. The Trust maintains that it should have available to it the ability for staff to have full and open discussions and express their personal opinions in a confidential arena (that is during the type of reviews commissioned relevant to this request) and that the loss of the ability to do so in a confidential arena would risk staff not engaging in a full and open manner in the future, should there be a need to commission reviews in the future.

Should you require any further information please do not hesitate to contact me on the email address provided below.

Please remember to quote the reference number above in any future communications.

If you are dissatisfied with the handling of your request, you have the right to ask for this to be investigated internally.

If you are dissatisfied with the information you have received, you have the right to ask for an internal review.

Both processes will be handled in accordance with our Trust's Freedom of Information Policy and the Freedom of Information Act 2000.

Internal investigation and internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: Freedom of Information Review, The Clatterbridge Cancer Centre NHS Foundation Trust, Clatterbridge Road, Bebington, Wirral, CH63 4JY

If you are not satisfied with the outcome of the internal investigation/review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.