

Freedom of Information Act 2000 - Request Reference Fol/20/110
Specialist Mental Health and Learning Disability Inpatient Care

Request details

I am writing to request information on spend associated with specialist mental health and learning disability inpatient care for children and young people, aged under 25, for whom your organisation is responsible for securing healthcare. (This would generally include all children and young people aged under 25 who are considered 'usually resident' in your organisation's area.)

This would include care provided in secure/forensic settings, and in non-secure settings. This would include recovery, rehabilitation and residential services that would commonly be referred to as 'specialist inpatient', or 'Tier 4' in the context of CAMHS. This would include 'locked' units.

This would not include community or other daycase services. This would not include, for example, commissioning a third sector organisation to provide a community counselling service. This would not generally include a residential placement in a specialist college for people with learning disabilities. This would not include care that your own organisation has provided, even if you have internal budgets and billing processes.

If you are uncertain of the scope of this request, I would be grateful if you could clarify it before attempting a formal response. If you believe that you would be better able to respond to the request if it were slightly altered, again I would be grateful if you could discuss this with us before attempting a formal response.

You are welcome to provide further details about how you have interpreted the request.

For each of the following four patient groups:

- Men and boys aged under 18
- Women and girls aged under 18
- Men and boys aged 18-25, inclusive
- Women and girls aged 18-25, inclusive

Please could you provide:

1. spend in an XLSX or CSV file with the following rows:

- Total spend,
- Spend to other NHS Wales organisations (e.g. a Welsh Health Board)
- Spend to NHS/HSCNI organisations elsewhere in the UK (e.g. an English NHS Trust)
- Spend to charitable ('third sector') providers (e.g. Mencap, Hafal)
- Spend to private, non-charitable, providers (e.g. Cygnet Health Care, Priory Group)
- Spend to Cygnet Health Care
- Spend to Priory Group

- Spend to Regis Healthcare
- Spend to St Andrew's Healthcare
- Spend to The Huntercombe Group
- Spend to Elysium Healthcare

and seven columns for each financial year from 2012/13 to 2018/19, inclusive.

2. the number of patients who were the subject of this spend in an XLSX or CSV file with the following rows:

- Total number of patients,
- Number of patients placed in other NHS Wales organisations (e.g. a Welsh Health Board)
- Number of patients placed in NHS/HSCNI organisations elsewhere in the UK (e.g. an English NHS Trust)
- Number of patients placed in charitable ('third sector') providers (e.g. Mencap, Hafal)
- Number of patients placed in private, non-charitable, providers (e.g. Cygnet Health Care, Priory Group)
- Number of patients placed with Cygnet Health Care
- Number of patients placed with Priory Group
- Number of patients placed with Regis Healthcare
- Number of patients placed with St Andrew's Healthcare
- Number of patients placed with The Huntercombe Group
- Number of patients placed with Elysium Healthcare

and seven columns for each financial year from 2012/13 to 2018/19, inclusive.

This should be the number of patients placed at any point in each financial year. I understand that some individuals might be placed in different providers at different points in the year.

Your response is therefore expected to include eight tables in total: two tables (spend, number of patients) for each of the four patient groups.

I advise against arguing a Section 43 exemption regarding spend to specific providers or groups of providers:

- almost all Welsh health boards have now provided such information (e.g. Betsi Cadwaladr UHB, ref 500/18/FOI and Swansea Bay UHB, ref 18-L-010), demonstrating an accurate appraisal of the balance of interests, but also limiting the likelihood and extent of any further prejudice to commercial interests by others providing such information.

- Recent Welsh Government statements on trade policy with respect to the NHS in Wales and reporting on regulatory issues regarding specific providers have further strengthened the public interest in this information.

I recognise that mergers and demergers in recent years may make it difficult to precisely and accurately assign spend to the named providers in some cases - for example, between Priory Group, Partnerships in Care, and Elysium Healthcare. I would be grateful if you could

do your best to assign spend appropriately and indicate where you think there may be anomalies.

I recognise that there are arrangements for the commissioning and funding of some individuals' care via the Welsh Health Specialised Services Committee (WHSSC). However, I advise against arguing that your organisation does not hold information on these individuals' care and associated spend:

- Health boards are involved in this commissioning process and they remain ultimately responsible for securing healthcare for these individuals.
- Health boards and WHSSC exchange information on spend associated with placements for a number of purposes, including determining the former's annual contributions to the latter's budget.

If you believe that you are truly unable to provide spend relating to those aged under 18 (whose care your organisation is responsible for securing), as requested, please instead provide:

- number of patients placed, broken down as requested, and
- your organisation's annual contributions to the WHSSC budget for each financial year from 2012/13 to 2018/19, inclusive.

I recognise that some organisations may not be able to easily provide information for some of the earlier years requested (due to changes in management arrangements or finance systems) or may have to provide information in calendar years rather than financial years. Please provide what relevant information that you can.

If you believe it is necessary to suppress small numbers at some point, please distinguish between 'none' and 'between one and five' (for example) where possible.

Response details

In completing a search for the information requested, Cardiff and Vale University Health Board (the UHB) has confirmed that this information is not centrally recorded or collated. To retrieve the information requested would require a manual search through individual records across three separate clinical boards and the UHB considers that this would exceed the limit set within regulations for responding to a request. The UHB has therefore relied upon the Section 12 exemption ('Exemption where cost of compliance exceeds appropriate limit') of the Freedom of Information Act 2000 and is refusing your request.

The UHB has estimated that to complete the work needed to respond to this request would exceed the time limit as set within regulations to respond to a Freedom of Information Act request. Under the Act there is an allowance of two and a half days, or 18 hours, to comply with a request and the cost limit set within the fees regulations for this amount of work (18 hours) is £450 for the UHB. The fees regulations specify that the cost of complying with a request must be calculated at the rate of £25 per hour.