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Email: [foi@secamb.nhs.uk](mailto:foi@secamb.nhs.uk)

5th July 2016

Email:

Dear

I am writing in response to your enquiry under the Freedom of Information Act 2000 (FOIA) reference FOI/16/04/29.

You requested the following information:

**I am making a Freedom of Information request under the FOIA 2000. Please provide, in an excel spreadsheet, the following information about payments made by the Trust to Personal Service Companies over the past five financial years (2011/12 to 2015/16). By "Personal Service Company" I am referring to any Contractors, Freelancers, Interim Managers, Consultants, Doctors, etc. who work through (and are paid via) their own limited companies.**

**Please indicate:**

**1. The date of the payment;**

We cannot provide the dates of the payments on the grounds of the exemption contained with s12 of the FOIA. To retrieve the information would necessitate manually identifying invoices to check each supplier to see if they were a Personal Service Company. This would exceed the appropriate limit of 18 hours as set down in the guidance on the application of the Freedom of Information and Data Protection (Appropriate Limit and Fees).

**2. The name of the Personal Service Company that payment was made to;**

We cannot provide the requested information on the grounds of the exemption contained within s40(2) of the Freedom of Information Act (FOIA) 2000 – Personal Information.

Section 40(2) states:

Any information to which a request for information relates is also exempt information if-

- (a) it constitutes personal data which do not fall within subsection (1)\*, and
- (b) either the first or the second condition below is satisfied.

(3) The first condition is –

(a) in a case where the information falls within any of the paragraphs (a) to (d) of the definition of 'data' in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene-

(i) any of the data protection principles, or  
(ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and

(b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

(4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject's right of access to personal data).

\* subsection (1) states: Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

### **3. The size (£) of the payment;**

Please see the table below which shows the expenditure to Personal Service Companies for the last three financial years. We do not hold information on the financial years 2011/2012 and 2012/2013.

<b>Financial Year</b>	<b>Expenditure to Personal Service Companies</b>
2013/2014	£62,000
2014/2015	£60,000
2015/2016	£64,000

### **4. The "Expense Area" and "Expense Type" of the payment.**

The Expense areas used were Workforce, Finance and Clinical. The Expense types were Senior Management and External Contractors.

I hope you find this information helpful.

If, for whatever reason you are unhappy with our response, you are entitled to pursue any dissatisfaction through South East Coast Ambulance NHS Foundation Trust's (SECAmb) Internal Review Procedure at:

South East Coast Ambulance Service NHS Foundation Trust  
40-42 Friars Walk  
Lewes  
East Sussex

BN7 2XW

Email:complaints@secamb.nhs.uk

Should you remain unhappy with the outcome of any such internal review , you may request a decision from the Information Commissioner at:

The Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

If I can be of further assistance to you, please do not hesitate to contact me, quoting the above reference number.

Yours sincerely

Freedom of Information Coordinator

South East Coast Ambulance Service NHS Foundation Trust