

Our Ref: 59007

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southseftonccg.foi@nhs.net

NHS South Sefton CCG

Merton House
Stanley Road
Bootle
Merseyside
L20 3DL

Tel: 0151 317 8456

Email: southsefton.ccg@nhs.net

Re: Freedom of Information Request

Please find below the response to your recent Freedom of Information request regarding anticoagulation services within NHS South Sefton CCG.

Request/[Response](#):

1. Does the CCG have an existing service specification for anticoagulation services in:

- a. primary care

[No](#)

- b. secondary care

[No](#)

- c. community care

[Yes](#)

2. If yes, please send me the CCG's service specification for anticoagulation services for:

- a. primary care
- b. secondary care
- c. community care

[I can confirm that NHS South Sefton CCG holds information that you have asked for, but in this case we will not be providing it to you as it is exempt from disclosure.](#)

[We are not obliged to provide information that has been provided in confidence to the CCG \(section 41\(b\) of the Act\). The terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information.](#)

[You can find out more about Section 41 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter.](#)

3. For each of the below settings, how frequently is the anticoagulation service measured against the service specification? Please use the table below to share your answer:

	Frequency of anticoagulation service measurement against service specification (Please indicate using an X under the relevant column to indicate all intervals at which the service is measured against the specification, for example if the service has a monthly, quarterly and annual measurement, include an X in each box)			
	Monthly	Quarterly	Annually	Other (please specify frequency)
Primary care				
Secondary care				
Community care		X		

4. Please provide a copy of the most recent measurement report for anticoagulation services in:
- primary care
 - secondary care
 - community care

I can confirm that NHS South Sefton CCG holds information that you have asked for, but in this case we will not be providing it to you as it is exempt from disclosure.

We are not obliged to provide information that has been provided in confidence to the CCG (section 41(b) of the Act). The terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

You can find out more about Section 41 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter.

5. For patients with Atrial Fibrillation (AF) on warfarin therapy attending the anticoagulation service, please provide the following information:
- Does the CCG have in place a minimum service target for the percentage of patients who are within therapeutic range?

Yes

- b. If yes, what is the CCG's minimum service target for the percentage of patients who are within therapeutic range?

All warfarin patients are expected to be maintained within optimal therapeutic range for 65% of the time (excluding the first 6 weeks after initiation) for all individual patients

- c. For the year 2017/18, what number and percentage of patients were within therapeutic range? Please provide these figures for all data intervals for which this information was collected.

Please see attached appendix 1 (Data for NHS South Sefton CCG and NHS Southport and Formby CCG), Please note patients may be double counted on a monthly basis.

EXPLANATION OF FOIA - SECTION 41 – INFORMATION PROVIDED IN CONFIDENCE

We have provided below additional information about Section 41 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 41: Information provided in confidence.

- (1) Information is exempt information if—
- (a) it was obtained by the public authority from any other person (including another public authority), and
 - (b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.
- (2) The duty to confirm or deny does not arise if, or to the extent that, the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) constitute an actionable breach of confidence.

Guidance

Section 41 provides an exemption to the right of access under the Freedom of Information Act if release would be an actionable breach of confidence.

This exemption qualifies the right of access under Freedom of Information Act by reference to the common law action for 'breach of confidence'. According to that action, if a person who holds information is under a duty to keep that information confidential (a 'duty of confidence'), there will be a 'breach of confidence' if that person makes an unauthorised disclosure of the information.

The concept of 'breach of confidence' has its roots in the notion that a person who agrees to keep information confidential should be obliged to respect that confidence. However, the law has now extended beyond this: the courts recognise that a duty of confidence may also arise due to the confidential nature of the information itself or the circumstances in which it was obtained.

The concept of 'breach of confidence' recognises that unauthorised disclosure of confidential information may cause substantial harm. For example, the disclosure of a person's medical records could result in a serious invasion of that person's privacy, or the disclosure of commercially sensitive information could result in substantial financial loss. The law protects these interests by requiring the information to be kept confidential: if information is disclosed in breach of a duty of confidence, the courts may award damages (or another remedy) to the person whose interests were protected by the duty.