



Great Yarmouth and Waveney
North Norfolk, South Norfolk
Norwich, West Norfolk
Clinical Commissioning Groups

Date 1 May 2018

FREEDOM OF INFORMATION – DECISION NOTICE

Dear Requester

FOI Reference Number: 16996

I refer to your email of 6 April requesting information in respect of autism.

I can confirm on behalf of Great Yarmouth and Waveney, North Norfolk, South Norfolk, Norwich and West Norfolk CCGs and in accordance with S.1 (1) of the Freedom of Information Act 2000 (FOIA) that we do hold the information that you have requested. A response to each element of your request is detailed below:

Request:

1. FoI Request

Please send me the information referred to in the following email:

“We have undertaken a review of the current service and a recommendations paper is going to JSCC this month for consideration. The in-principle proposal is:

to ensure that all local and national requirements are covered; a scoping exercise to take place with regard to a new Autism Diagnosis Service, including the alignment with existing LD Diagnostic service

Liaison and alignment with the developing children’s Neurodevelopment service review,

Depending on the agreements reached we will then work to a 2019 implementation, in accordance with the planning round for this year (2018).”

The email was written by Antek Lejk, CEO of North & South CCG on 14th March 2018 to Clare Smith. I wish to be given both the review and 'scoping exercise' and the 'agreements reached' along with any plans for implementation.

The CCGs consider that at this time the information sought regarding the review is exempt from disclosure, within a FOIA request, as it is considered commercially sensitive; therefore the CCGs feel section 43(2) of FOIA is engaged.

Section 43 is a prejudice based exemption and, as such, we are required to assess both the prejudice test and the public interest test in withholding this information against that of its release.

When assessing the prejudice test, we need to demonstrate that there would be an impact on the commercial interests of “any person”, i.e. the public authority holding the information or a third party, should this information be released. We believe that to provide the review information would impact on the commercial interest of the current providers and the CCGs.

It is felt that the current providers would be disadvantaged by disclosing the information as this would provide competitors with a commercial advantage. This is because the review contains contractual and financial information regarding the current providers. CCGs compete in competitive environments and for contracts not just related to autism. To provide the review information could allow rival companies to undercut current providers as they would be able to work out costings and margins in order to undercut any current or future procurement processes.

The CCGs could also be disadvantaged commercially as the release of this information could dissuade suppliers from bidding for services and would therefore impact upon the CCGs ability to obtain best value for money in future procurement exercises.

As a result, it is in our opinion that this sufficiently demonstrates the prejudice which would be caused through disclosure.

We are also required to conduct the public interest test, which assesses whether releasing the information would be in the public interest despite the prejudice test being satisfied. It is important to bear in mind that any disclosure under the FOI Act is a disclosure to the public at large and not just to the requester. The CCGs’ recognise that there is a general public interest in their being open and transparent. However, it is not believed that this public interest is served in disclosure for damage that would be caused as outlined above.

Therefore, the CCGs’ consider that releasing this information would not be in the public interest, as the public interest does not outweigh the prejudice as set out above.

To assist you further we can advise the following regarding the services provided:

Adults in Great Yarmouth can access the Aspergers East Anglia Service, as referenced within your request. For Waveney adults the CCGs spot purchase ASD assessments with a private provider with GP’s just requesting prior approval before making the referral.

The Aspergers Service is commissioned by Norfolk County Council in partnership with the five Norfolk and Waveney CCG’s and the Waveney element is funded by GYW CCG.

2. Fol request

Please send me the diagnostic and/or referral pathways for adult autism which has been in use in Norfolk for the past two years. If the pathway has been updated in that time, please send me the various updated versions.

The CCGs hold one adult pathway for Autism Diagnosis and that is for Asperger Service Norfolk. See Appendix 1 below.

These pathway may include separate arrangements for autism, autism plus learning disabilities, ASD and/or Asperger's (sometimes called High-Functioning Autism). If they do, please send me all of the versions, clearly identified.

Also:

If, in addition, other officers and/or committees have made further decisions relating to the Asperger diagnostic pathway, then please include them.

Also to any plans currently held which will be put into action in the future re adult autism diagnostic/referral pathways.

If you have documents " indicating future decisions/potential information held " then please also include them.

The CCGs have no further information to disclose here, and refer to the response to question 1

Appendix 1



ASN Pathway.pdf

I hope that this answers your queries with the information we currently hold, but if I can be of any further assistance please do not hesitate to contact me.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. 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

Arden & GEM CSU
FOI Team, Room 18
Scarsdale
Newbold Road
Chesterfield
S41 7PF

Email agcus.foi.norfolkwaveneycggs@nhs.net

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided the CCG.

The Information Commissioner can be contacted at: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, telephone 0303 123 1113, email casework@ico.org.uk

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Yours faithfully

Philip Humphreys

FOI Manager, Arden & GEM CSU

**On behalf of
Great Yarmouth and Waveney,
North Norfolk, South Norfolk
Norwich and West Norfolk CCGs**