

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 19 July 2024

Public Authority: NHS England

Address: Quarry House
Quarry Hill
Leeds
LS2 7UE

Request:

The complainant requested the following information from NHS England on 24 April 2024:

"Under the Freedom of Information Act, for the Programme Board overseeing the Federated Data Platform and relating to the period from 25th November 2023 to 24th April 2024 inclusive, can you please provide:

- 1) All agendas and agreed minutes for all meetings of that programme board in that period,
- 2) Copies of "final" papers or presentations provided to that board for those meetings.
- 3) The document which describes why NHS England has chosen not to publish these documents proactively.

For clarity, this request is for the time period continuing on from the period covered by request FOI-2311-2046545 which NHS England substantively responded to after an intervention from the ICO. That earlier request can be found publicly here:

https://www.whatdotheyknow.com/request/programme_board_for_the_federate"

Commissioner's Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

Right of Appeal:

Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**