

Date: Monday, 17th August 2020
Our Ref: MB/SH FOI 4402

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Re: Freedom of Information Request FOI 4402

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 29th July 2020.

Your request was as follows:

1. Staff headcount at your organisation?

[As of 29/07/20 The Walton Centre NHS Foundation Trust have 1453 staff currently at the Trust.](#)

2. Annual budget of your organisation for the financial year 2019-2020?

[£127,837,827](#)

3. What is your organisation provider type (as recorded on your SRT submission - i.e. Acute teaching, Ambulance)?

[Acute - Specialist](#)

4. Who provides your organisations counter fraud provision? (In house - NHS consortium - Private provider)

[Mersey Internal Audit Agency \(MIAA\)](#)

5. How many days were recorded for proactive counter fraud work (Strategic governance, Inform and Involve & Prevent & Deter) carried out at your organisation during the financial year 2019-20?

[MIAA carried out 40 days.](#)

6. How many days were recorded for carrying out reactive investigation work at your organisation during the financial year 2019-20 (hold to account)?

[MIAA didn't carry out any reactive investigation work during 2019/20.](#)

7. How many counter fraud referrals did your organisation receive during the financial year 2019-2020?

[MIAA received no referrals from the Trust](#)

8. What was the recorded fraud loss identified by your organisation during the financial year 2019-2020?

[MIAA recorded no fraud losses.](#)

9. What was the amount of fraud losses recovered by your organisation during the financial year 2019-2020?

MIAA recorded no fraud losses recovered by the Trust during the financial year 2019-20.

10. How many criminal sanctions relating to fraud, bribery and corruption did your organisation apply during the financial year 2019-2020?

MIAA were not involved in any criminal sanctions.

11. How many disciplinary sanctions relating to fraud, bribery and corruption did your organisation apply during the financial year 2019-2020?

MIAA were not involved in any disciplinary sanctions relating to fraud, bribery and corruption.

12. What was the cost of counter fraud staffing or outsourced counter fraud provision to your organisation during 2019-2020 for - Strategic Governance, Inform and Involve and Prevent and Deter?

Section 43 (2) - Disclosure would, or would be likely to, prejudice the commercial interests of any person
This information is exempt from disclosure under Section 43(2) of the Freedom of Information Act 2000 (FOIA). We cannot provide information requested as your query on the grounds that the withheld information would, or would be likely to, prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity).

Prejudice Test

In order to apply section 43(2), the public authority must satisfy itself that disclosure of the information would, or would be likely to, prejudice or harm the commercial interests of any person.

If The Walton Centre NHS Foundation Trust (WCFT) did disclose this information you request this would or would be likely to, prejudice or harm the commercial interests of The WCFT in relation to any future contracts and its ability to successfully compete for other contracts.

Public Interest Test

To use this exception we are required to undertake a public interest test. The matters which were considered in applying the public interest test are as follows:

Factors in favour of disclosure:

- It would ensure the tender process was open and transparent.

Factors in favour of withholding:

- It is The WCFT's belief that to release financial information relating to the costing of staffing contracts relating to outsourced counter fraud provisions, would prejudice The WCFT as this could lead to contracts being undercut if used by competitors.
- If the information was available in the public domain it could compromise and inhibit the WCFT's competitive tendering process for any future contracts.

Conclusion

The WCFT believes it is not in the public interest for information and details of the WCFT's financial model for costing

research contracts to be disclosed as this would prejudice the interests of The WCFT to its detriment. Its competitors will be able to view its costs and detailed counter fraud staffing or outsourced counter fraud provision plan information. In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

13. What was the costs of counter fraud staffing or outsourced counter fraud provision to your organisation during 2019-20 for - Hold to Account?

As above.

Please see our response above in [blue](#).

Re-Use of Public Sector Information

All information supplied by the Trust in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No. 1515 which came into effect on 1st July 2005.

Under the terms of the Regulations, the Trust will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however the Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Further information can be found at www.opsi.gov.uk where a sample license terms and fees can be found with guidance on copyright and publishing notes and a Guide to Best Practice and regulated advice and case studies, at www.opsi.gov.uk/advice/psi-regulations/index.htm

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 the Freedom of Information Office at the address above.

Please remember to quote the reference number, FOI 4402 in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Mike Burns

Mr. Mike Burns, Executive Lead for Freedom of Information