

Date: Tuesday, 31st August 2021
Our Ref: MB/SS FOI 4858

Sid Watkins Building
Lower Lane
Fazakerley
Liverpool L9 7BB
Tel: 01515253611
Fax: 01515295500
Direct Line: 01515563038

Re: Freedom of Information Request FOI 4858

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 19th August 2021.

Your request was as follows:

Can you please send a copy of the external well-led review that was undertaken in December 2018/January 2019 by AQUA (Advancing Quality Alliance) and Merseyside Internal Audit Agency (MIAA)

I confirm that The Walton Centre NHS Foundation Trust (WCFT) holds the information you have requested in relation to the external well-led review. However, I am unable to provide you with that information as I consider that the following exemptions apply to it:

Section 21 - Information already reasonably accessible to you

This well-led review is exempt from disclosure under Section 21 of the Freedom of Information Act 2000 (FOIA), as it is already reasonably accessible to you. The information you have requested is published on The CQC website, please use the following link:

<https://www.cqc.org.uk/location/RET20#:~:text=The%20trust%20was%20last%20inspected,well%20led%20and%20outstanding%20overall.>

This exemption is not subject to the public interest test.

In relation to Merseyside Internal Audit Agency (MIAA) audit documentation, 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). 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 did disclose this information this would affect The Walton Centre NHS Foundation Trust and MIAA as this audit undertaken in confidence.

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:

- Would promote openness and transparency.

Factors in favour of withholding:

- Could inhibit potential procurement arrangements with future suppliers.
- Full CQC report is published and available for public viewing.
- Could inhibit future projects with MIAA.

The above response therefore acts as a refusal notice under section 17 of the FOIA.

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 4858 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