

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 1 April 2025

**Public Authority:** NHS Business Services Authority  
**Address:** Stella House  
Goldcrest Way  
Newcastle-upon-Tyne  
NE15 8NY

### **Decision (including any steps ordered)**

---

1. The complainant has requested data about Covid-19 vaccinations. The above public authority ("the public authority") provided some information and relied on section 21 of FOIA (reasonably accessible) to withhold the remainder.
2. The Commissioner's decision is that the public authority does not hold some of the information within the scope of the request. Where section 21 has been applied, it has been applied correctly.
3. The Commissioner does not require further steps to be taken.

### **Request and response**

---

4. On 12 September 2024, the complainant wrote to the public authority and requested information in the following terms:  
  
"Please could you provide the following information for each claim made by GPs and PCNs for administering the COVID-19 vaccinations from the start of the vaccination program to the present."
  - The name and postcode of the GP practice or PCN.
  - The submission date.

- The number of vaccines administered.
  - The payment made or to be made.”
5. The public authority responded on 7 October 2024. It provided a dataset of payments made, with each payment being linked to an ODS code. It explained that these codes could be cross-referenced with another dataset, available from NHS Digital, which would link individual payments with the names and addresses of the practices to which they had been made. It noted that it did not have reliable information that would indicate whether a payment had been made to a primary care network or not. It also provided some contextual information about the data.
  6. Following an internal review the public authority wrote to the complainant on 11 November 2024. It now relied on section 21 of FOIA to refuse to provide names and addresses of individual practices. It pointed the complainant towards online tutorials that it felt might help her manipulate the datasets to suit her needs.

## Reasons for decision

---

7. Section 21 of FOIA allows a public authority to refuse to disclose information if that information is already reasonably accessible to the requester.
8. Unusually for FOIA, when applying this exemption, the public authority may take account of the identity and circumstances of the requester. It is entitled to take account of any reason why the requester is able to access the information – even if others cannot. However it must also take account of any reason that might prevent the requester from accessing information in the same way as others – for example if the requester has a disability restricting their movement, they may struggle to travel to inspect a public register.
9. The “accessibility” of information means how easy the information is to get at. If the requester can get at the information with reasonable ease that information is accessible – even if the information is not available in the format they want or find easy to re-use. Just because a requester cannot easily **re-use** the information does not mean that it is not **accessible**.
10. A public authority is not required to restructure its records, or re-provide information already available, simply because that information is not available in a format a particular requester finds useful.

11. In this case the public authority has provided a list of payments that were made for administering Covid-19 vaccinations. Each payment is linked to an ODS code.
12. The public authority has explained that each ODS code represents an individual GP practice. The list of ODS codes and the practice each one is assigned to, is publicly available from NHS Digital. By combining the datasets the public authority has disclosed with the ODS dataset available from NHS Digital, a list can be produced that includes the name and address of the relevant practice.
13. The complainant does not dispute that the ODS codes can be linked to GP practices. Nor does she dispute that she can access the codes.
14. However, the complainant still does not consider the information to be "reasonably accessible" because of the amount of data involved and the technical skill required to combine the datasets. She argues that someone would need to be "a proficient data scientist" to carry out this work and that the work is beyond her skill level. She also notes that the public authority has disclosed datasets in the past including names and addresses of practices.

### **The Commissioner's view**

15. Whilst the Commissioner is sympathetic to the complainant's frustration, he does not consider she has put forward any reason why the information is not accessible to her.
16. The Commissioner appreciates that combining the two spreadsheets would require at least an intermediate level knowledge of Microsoft Excel or a similar product. However the ease of combining the two datasets determines the ease of **re-use** of the information, not the ease of **access** to it.
17. This is not a case where the complainant is being asked to locate a small piece of information within a large, unstructured dataset. The dataset she has received from the public authority sets out every payment made – therefore every row of data will fall within the scope of her request. She will have to match the ODS codes to another dataset, but that dataset is easy to download, available in a commonly-used, machine-readable format and any ODS code can be easily looked up within it.
18. Because the complainant wants to match every payment to a practice, there will be a large number of practices she will need to identify. However, that is the complainant **re-using** the information by manipulating it into a format that is helpful to her and to whatever she wishes to do with that information next. She has (or would have)

already **accessed** the information at the point of downloading the datasets.

19. The Commissioner therefore considers that, to the extent the information has not already been provided to the complainant, it is reasonably accessible to her. The public authority was therefore entitled to rely on section 21.

### **Is all the information held?**

20. The request sought details of payments made to both GP surgeries and primary care networks. The public authority has provided the ODS codes (which each link to a specific GP practice), but in relation to primary care networks it stated:

"We do not hold Primary Care Network (PCN) Grouping data that we can confidently join to the GP Practice Organisation Data Service (ODS) Code. Data is provided for the GP Practice ODS Code that represented its whole PCN Grouping for the purpose of claiming fees for Covid-19 vaccines."

21. The Commissioner asked the public authority to clarify this statement. The public authority explained that, during the pandemic, various groups of GPs had come together to administer vaccine payments. In such cases, one practice would have submitted a claim for payment on behalf of several practices, with any subsequent fee then being disbursed among providers. The public authority was able to identify the practice that had submitted each claim, but not any other practices to whom the fee might have been disbursed.
22. The Commissioner accepts that the public authority only holds data showing fees for vaccination payments being made to specific GP practices. Where those payments were subsequently disbursed among several practices, the public authority does not hold information about what payments were disbursed and to which practice.
23. For completeness, the Commissioner also notes that it was not clear whether the public authority **itself** held a dataset linking ODS codes to specific GP practices (data held by NHS Digital would not be held by the public authority). However, given the view he has reached in respect of section 21 above, the Commissioner considers it makes no difference whether the information is held, but exempt, or not held – in which case the public authority could not provide it even if it wished to.

## Right of appeal

---

24. 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](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

25. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
26. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

## Signed

**Roger Cawthorne**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**