



Department
of Health

18/06/2013

DE00000782677

Dear Mr O'Leary,

Thank you for your request of 20 May 2013 under the Freedom of Information Act (2000). Your exact request was:

"I would like to make an FOI request with regards to a claim made by the Health Secretary in Parliament on 25 March 2013, regarding the enforcement of 'health tourism' in the UK:

"the Government are determined to ensure that anyone not entitled to receive free NHS services should be properly identified and charged for the use of those services. Currently, we identify less than half of those who should be paying and collect payment from less than half those we identify."

Source:

<http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm130325/debtext/130325-0001.htm>

I would like to request for all relevant data the Department holds regarding what proportion of "those who should be paying" the DH identifies and what proportion of payment to those "we identify" is collected. In essence, full details for the source of the Health Secretary's claims."

I can confirm that the Department of Health holds information relevant to your request.

The source of the Secretary of State's statements on identification of, and recovery of charges from, overseas visitors in his speech of 25 March 2013 was the Department of Health's Internal Review of the Overseas Visitor Charging System.

However, we consider that this information is exempt under Section 35(1)(a) of the Freedom of Information Act, which provides protection for the information that relates to the formulation or development of government policy. Section 35 is a qualified exemption and we are required to assess, as objectively as possible, the balance of public interest in the information's release against that in withholding it.

The Department recognises the general public interest in making this information available for the sake of greater transparency and openness. However, the Department believes that the public interest lies in protecting the policy-making process and preserving the ability of officials in the Department

to engage in free and candid discussion of policy options without apprehension that suggested courses of action may be held up to scrutiny before they have been fully developed or evaluated.

The Department is currently preparing for a public consultation setting out proposals for change to the rules of entitlement to free NHS care for visitors and migrants, and other issues. This will take place in the summer. The Internal Review continues to inform that process. Premature disclosure of this information could prejudice the quality of policy development, and could lead to the Department having to defend all issues raised by the Review, even if discounted, at a time when the Department is preparing to consult on some of those very issues.

Therefore, we have concluded that, at this current time, the public interest in maintaining the exemption outweighs the public interest in disclosing the requested information. The Department is currently considering at what point to publish the Review in the consultation process.

If you have any queries about this email, please contact me. Please remember to quote the reference number above in any future communications.

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:

Head of the Freedom of Information Team
Department of Health
Room 317
Richmond House
79 Whitehall,
London
SW1A 2NS

Email: freedomofinformation@dh.gsi.gov.uk

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Department. The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Danny Lamond

Freedom of Information Officer
Department of Health

freedomofinformation@dh.gsi.gov.uk