

Reference: FOI.ICB-2526/275

Subject: Evidence and Correspondence Concerning Sirona's FOIA Status and ICB's Duties

I can confirm that the ICB does hold some of the information requested; please see responses below:

QUESTION	RESPONSE
1. All internal and external communications, legal advice, policy documents, and correspondence held by the ICB relating to Sirona's claimed exemption from FOIA due to its status as a Community Interest Company (CIC).	<p>Please find documents attached. Document 12.1 is a draft document and has never been agreed for use by the ICB and Sirona. The formal agreement between BNSSG ICB and Sirona regarding FOI duties is contained in the contract as part of the General Conditions: Link to the version for a full length NHS Standard Contract here: 04-full-length-general-conditions-2526-med-opt-mc.pdf. The most pertinent points in relation to this query are found in:</p> <p>GC21 Patient Confidentiality, Data Protection, Freedom of Information and Transparency</p> <p>GC21.1 <i>The Parties must comply with Data Protection Legislation, Data Guidance, the FOIA and the EIR, and must assist each other as necessary to enable each other to comply with these obligations.</i> and</p> <p>GC 21.18 <i>The Provider acknowledges that the Commissioners are subject to the requirements of FOIA and EIR. The Provider must assist and co-operate with each Commissioner to enable it to comply with its disclosure obligations under FOIA and EIR. The Provider agrees:</i></p> <p>and it's sub-sections 21.18.1 – 21.18.6</p>
2. All records, correspondence, legal instructions or formal documentation relied on or received by the ICB to justify or evidence the claim that "the ICB does not have to request information from Sirona" in response to statutory requests about NHS-commissioned services.	
3. All communications from or to Sirona, the ICO, or any other body that address the legal status of Sirona under FOIA, including any advice or decision logs covering the ICB's obligations under the NHS Standard Contract or FOI Act (section 3(2)).	
4. Any relevant material exchanged with the ICO about Sirona's legal status or the ICB's responsibilities for FOIA compliance in the context of commissioned services, from January 2020 to present.	

	<p>Under the FOI Act, where BNSSG ICB and Sirona are joint owners of information, then it is the ICB's responsibility to source this information from Sirona and provide this under the FOI Act. However, when information requested is owned by Sirona, BNSSG ICB is not liable under the FOI Act to disclose this information on Sirona's behalf and will direct the requester to Sirona for a response.</p> <p>BNSSG ICB can only apply the FOI Act as set out in legislation and is not the regulatory body for information rights. BNSSG ICB cannot decide whether Sirona care & health is subject to the Act. Sirona as an organisation would need to make that decision following review of the FOI Act. If you have concerns regarding an organisation's FOI status, BNSSG ICB would advise you to contact the Information Commissioner's Office as the regulatory body for information rights: Contact us - public ICO</p>
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The information provided in this response is accurate as of 8 December 2025 and has been approved for release by Rob Hayday, Chief of Staff for NHS Bristol, North Somerset and South Gloucestershire ICB.

From: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
To: [foi \(NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C\); \[REDACTED\] \(NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C\); \[REDACTED\] \(NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C\)](#)
Subject: RE: Children's FOI
Date: 24 April 2023 15:59:48
Attachments: [image001.png](#)
[image002.jpg](#)

Hi all

I have just spoken to the ICO and they aren't sure whether Sirona should be subject to the FOI Act and have suggested that Sirona would have taken some advice to support the opinion that they don't need to answer questions under the FOI Act. I don't know whether this is something we would want to request from Sirona?

I had assumed that the guidance below would have included Sirona but the ICO were unsure whether community services were covered by the below:

Subject to certain conditions, Schedule 1 lists anyone providing primary or general medical, dental, pharmaceutical and ophthalmic services. For the purposes of FOIA, bodies providing health services under NHS contracts which fall under these descriptions are also considered public authorities.

And

Certain bodies are only covered for some of the information they hold, for example:

- **GPs, dentists and other health practitioners only have to provide information about their NHS work;**

In terms of the joint controller issue, the ICO have suggested that there will be a local agreement in place regarding which organisation would respond to requests. Given that Sirona wouldn't be expecting to respond to requests, it would be on the ICB to provide the data.

[REDACTED] – it looks as though we need to request the data from Sirona to answer the questions where the ICB and Sirona are joint controllers of the data.

Many thanks



Corporate Support Officer

NHS Bristol, North Somerset & South Gloucestershire ICB

From: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]

Sent: Wednesday, May 24, 2023 11:12 AM

To: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]

Cc: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]; foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]

Subject: Children's FOIs

Importance: High

Hi [REDACTED]

[REDACTED]

[REDACTED]

After discussions with the FOI team & CSU it was identified that as contract managers and 'data controllers', even if we did not hold the data/information ourselves, it was our responsibility to collect any data being requested from Sirona rather than signposting requesters to Sirona directly.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]

Sent: Wednesday, May 24, 2023 2:29 PM

To: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]

Subject: FW: Community Children's FOI Requests - ASD/ADHD/CAMHS

Hi [REDACTED]

[REDACTED] For the requests outlined below, some of the data is held by Sirona on behalf of the ICB.

The community team have discussed this with the IG team who have explained that as the ICB and Sirona are joint data controllers, the ICB needs to request the data from Sirona. I have spoken to the ICO who have confirmed that Sirona do not fall under the FOI Act and so we cannot direct requests directly to Sirona to answer.

[REDACTED]

Corporate Support Officer

NHS Bristol, North Somerset & South Gloucestershire ICB

From: [REDACTED] ([\(NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C\)](#))
To: [foi \(NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C\)](#)
Subject: RE: EXTENSION REQUEST: FOI.ICB-2223/258 - Adult and Child ADHD, ASD, Tourette's and Generalised Anxiety Disorder
Date: 13 June 2023 08:38:10

Excellent, thanks.

I would have thought that they get FOI requests come through and they have template wording which explains why it isn't applicable to them, hopefully.

[REDACTED]
Corporate Support Officer

NHS Bristol, North Somerset & South Gloucestershire ICB

From: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
Sent: Tuesday, June 13, 2023 8:34 AM
To: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
Subject: RE: EXTENSION REQUEST: FOI.ICB-2223/258 - Adult and Child ADHD, ASD, Tourette's and Generalised Anxiety Disorder

Hi [REDACTED]

[REDACTED] [REDACTED] [REDACTED] I've emailed the team so hopefully they'll be able to send us something.

Thanks,

[REDACTED]
Information Rights Coordinator

NHS Bristol, North Somerset and South Gloucestershire ICB

From: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]

Sent: Monday, June 12, 2023 10:04 AM

To: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) <bnssg.foi@nhs.net>

Subject: RE: EXTENSION REQUEST: FOI.ICB-2223/258 - Adult and Child ADHD, ASD, Tourette's and Generalised Anxiety Disorder

Hi [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] and also
ask Glyn if Sirona have any formal wording regarding their obligations in relation to the FOI Act. [REDACTED]

Many thanks

[REDACTED]
[REDACTED]
Corporate Support Officer

NHS Bristol, North Somerset & South Gloucestershire ICB

From: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) <bnssg.foi@nhs.net>

Sent: Monday, June 12, 2023 9:44 AM

To: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
[REDACTED]

Subject: FW: EXTENSION REQUEST: FOI.ICB-2223/258 - Adult and Child ADHD, ASD, Tourette's and Generalised Anxiety Disorder

Hi [REDACTED]
[REDACTED]

[REDACTED]

There's also the [REDACTED] last point about why Sirona aren't following legalisation and what disciplinary action will be taken. [REDACTED]

Thanks,
[REDACTED]

Information Rights Coordinator

NHS Bristol, North Somerset and South Gloucestershire ICB

From: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
To: [foi \(NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C\)](#); [REDACTED]
Cc: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
Subject: RE: FOI 2223_258
Date: 26 June 2023 10:26:04

[REDACTED]

Following our conversations with [REDACTED] and co, it was identified that as we were 'joint controllers' of the **Sirona** data, if we did not have direct access to the data being requested, it was our responsibility to get the data from Sirona to pass on to the requester, rather than signposting the requester directly to Sirona. As part of those discussions we also picked up on the fact that as Sirona are a CiC, they are not duty bound to respond to FOIs so it would be beneficial for us to try and collect the data from them, rather than signposting someone to them, only to then be told Sirona will not give them the information and have them potentially come back to us with a complaint.

Best Wishes,

[REDACTED]

Contract Support Officer (Children's & Community)

NHS Bristol, North Somerset & South Gloucestershire Integrated Care Board
360 Bristol – Three Six Zero, Marlborough Street, Bristol, BS1 3NX

From: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
Sent: Monday, June 26, 2023 10:02 AM
To: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
Cc: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C); [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
Subject: RE: FOI 2223_258

[REDACTED]

Sirona have informed the ICB that as a CIC they do not have to abide by the FOI Act. I have asked the ICO and they have said that if Sirona believes this then it is likely the case. [REDACTED] spoke to [REDACTED] who informed them that the data requested was held jointly by both Sirona and the ICB and as the ICB does have to answer FOI requests for data held, the ICB had to source the information from Sirona.

[REDACTED]

[REDACTED]

[REDACTED]

Corporate Support Officer

NHS Bristol, North Somerset & South Gloucestershire ICB

From: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]

Sent: Monday, June 26, 2023 9:54 AM

To: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)

[REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]

Cc: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)

Subject: RE: FOI 2223_258

If that's the case, why couldn't we have done that initially as we had to ask Sirona for the information?

From: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)

Sent: Monday, June 26, 2023 9:51 AM

To: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)

[REDACTED]; foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]

Cc: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)

Subject: RE: FOI 2223_258

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

If CAMHS information is held by another NHS organisation, we can direct the requester to them directly to answer the question, we don't need to ask them for the information.

Many thanks

[REDACTED]
[REDACTED]

Corporate Support Officer

NHS Bristol, North Somerset & South Gloucestershire ICB

From: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]
Sent: 13 April 2023 10:09
To: communitycontracts (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
[REDACTED]
Cc: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
[REDACTED]
Subject: RE: FOI Update

[REDACTED]

I think in the first instance it is important that we confirm whether Sirona or the ICB is the 'data owner' or 'data processor' of the information. The data owner should respond to the FOIs. In previous responses where the information/data is held by Sirona we have directed the requester to them. [REDACTED]

[REDACTED]

Hope that helps.
Thanks,

[REDACTED]
Information Rights Coordinator

NHS Bristol, North Somerset and South Gloucestershire ICB
360 Bristol, Marlborough Street, Bristol, BS1 3NX

[REDACTED]
Website: bnssg.icb.nhs.uk



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[REDACTED]

111

[REDACTED]

[REDACTED]

[REDACTED]

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From: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
[REDACTED]

Sent: 23 March 2023 08:24

To: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)

[REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH
GLOUCESTERSHIRE ICB - 15C) [REDACTED]

Subject: FW: REQUEST FOR INFO: FOI.ICB-2223/258 - Adult and Child ADHD, ASD, Tourette's and
Generalised Anxiety Disorder

[REDACTED]
[REDACTED] I am not even sure if
Sirona respond to FOI's (did I hear that right yesterday on the call with [REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED] (SIRONA CARE & HEALTH)
To: [foi \(NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C\)](#)
Cc: [REDACTED] (SIRONA CARE HEALTH)
Subject: RE: Sirona and FOIs
Date: 21 June 2023 14:45:02
Attachments: [image001.jpg](#)

OK I will put some words together

[REDACTED]

Information Governance Manager/Data Protection Officer

- **Sirona care & health**

Address: Kingswood Civic Centre, High Street, Kingswood, Bristol, BS15 9TR

[REDACTED]
[REDACTED]

 www.sirona-cic.org.uk

* Calls from landlines are charged up to 10p per minute; calls from mobiles vary, please check with your network provider. This is not a premium-rate number.

From: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)

Sent: 21 June 2023 14:31

To: [REDACTED] (SIRONA CARE & HEALTH)

Cc: [REDACTED] (SIRONA CARE HEALTH)

Subject: RE: Sirona and FOIs

Thanks [REDACTED]

I think we were hoping you might be able to provide something more from the Sirona side, that says something along the lines of Sirona not being legally obliged to the FOI Act.

If Sirona is able to explain why they don't have to answer FOI requests, this will then help the ICB to explain why it needs to ask Sirona to supply us with the information, that would be really helpful.

Thanks,

[REDACTED]

Information Rights Coordinator

NHS Bristol, North Somerset and South Gloucestershire ICB

From: [REDACTED] (SIRONA CARE & HEALTH) [REDACTED]

Sent: Wednesday, June 21, 2023 1:27 PM

To: [REDACTED] (SIRONA CARE HEALTH) [REDACTED]; foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) <bnssg.foi@nhs.net>

Subject: RE: Sirona and FOIs

Hi [REDACTED]

The only formal wording that I am aware of regarding our obligations to assisting with FOI requests, is contained within the standard NHS contract document. Come back to me if I can help further.

With thanks

[REDACTED]

Information Governance Manager/Data Protection Officer

- **Sirona care & health**

Address: Kingswood Civic Centre, High Street, Kingswood, Bristol, BS15 9TR

[REDACTED]
[REDACTED]

 www.sirona-cic.org.uk

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From: [REDACTED] (SIRONA CARE HEALTH) [REDACTED]
Sent: 19 June 2023 10:52
To: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
[REDACTED]
Cc: [REDACTED] (SIRONA CARE & HEALTH) [REDACTED]
Subject: RE: Sirona and FOIs

[REDACTED],
I think Glyn is best placed to respond to this.

[REDACTED]
[REDACTED]
Information Governance Officer
[REDACTED]
[REDACTED]

- **Sirona Information Governance Team**
Second floor, Kingswood Civic Centre, High Street, Kingswood, Bristol, BS15 9TR

[REDACTED]
 www.sirona-cic.org.uk

* Calls from landlines are charged up to 10p per minute; calls from mobiles vary, please check with your network provider. This is not a premium-rate number.

From: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
[REDACTED]
Sent: 15 June 2023 09:27
To: SIRONA.DATAPROTECTION(SIRONACARE&HEALTH) (SIRONA CARE HEALTH)
[REDACTED]
Subject: RE: Sirona and FOIs

[REDACTED],
Did you manage to find anything?

[REDACTED]
[REDACTED]
Information Rights Coordinator

NHS Bristol, North Somerset and South Gloucestershire ICB

From: SIRONA.DATAPROTECTION(SIRONACARE&HEALTH) (SIRONA CARE HEALTH)
[REDACTED]
Sent: Tuesday, June 13, 2023 9:30 AM
To: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
[REDACTED]
Subject: RE: Sirona and FOIs

[REDACTED]
I'm sure there is something – I'll have to find it for you. Will aim to get back to you by the end of today.

[REDACTED]
[REDACTED]
From: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
[REDACTED]
Sent: 13 June 2023 08:33

To: SIRONA.DATAPROTECTION(SIRONACARE&HEALTH) (SIRONA CARE HEALTH)

[REDACTED]

Subject: Sirona and FOIs

[REDACTED]

[REDACTED]

Does Sirona have any formal wording regarding their obligations in relation to the FOI Act.

[REDACTED]

[REDACTED]

Information Rights Coordinator

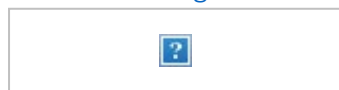
NHS Bristol, North Somerset and South Gloucestershire ICB

360 Bristol, Marlborough Street, Bristol, BS1 3NX

[REDACTED]

[REDACTED]

Website: bnssg.icb.nhs.uk



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[24/04/2023, 15:12:02] [REDACTED] Good afternoon, you're through to the ICO live chat service. How can I help you today?

[24/04/2023, 15:13:38] [REDACTED] Good afternoon. I work for an NHS organisation and we have a contract with a Community Interest Company who provides community services such as nurses etc. Would the CiC need to respond to questions regarding services under this contract under the FOI Act?

[24/04/2023, 15:16:43] [REDACTED] Whilst I consider your question, please can you provide a few details about your organisation?

- Is this the first time you have contacted us for advice about the legislation?
- If so, where did you hear about the ICO?
- How many employees does your organisation have?
- What sector or industry do you operate in?

[24/04/2023, 15:17:28] [REDACTED] No, around 500 employees in my organisation, healthcare

[24/04/2023, 15:19:24] [REDACTED] Thank you

[24/04/2023, 15:19:51] [REDACTED] Is the CIC a public authority at all?

[24/04/2023, 15:20:18] [REDACTED] No, but the only contracts it holds are for the NHS and the local authorities

[24/04/2023, 15:20:35] [REDACTED] As far as I am aware

[24/04/2023, 15:25:18] [REDACTED] Okay, so is partly owned by a local authority?

[24/04/2023, 15:26:09] [REDACTED] No, just provides services under contract to both the NHS and local councils

[24/04/2023, 15:27:22] [REDACTED] Okay then it most likely wouldn't be subject to the FOIA

[24/04/2023, 15:27:53] [REDACTED] Even though the work undertaken is wholly paid for through public funds?

[24/04/2023, 15:28:35] [REDACTED] *undertaken

[24/04/2023, 15:30:08] [REDACTED] : They may do then, this would need to be something you would check with them

[24/04/2023, 15:30:14] [REDACTED] As we can't answer this for you?

[24/04/2023, 15:30:42] [REDACTED] We do have some guidance here: <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/>

[24/04/2023, 15:31:55] [REDACTED] Thanks, I have read the guidance and although it specifically mentions GP, dental and other primary care services it doesn't mention community services provided under NHS contract

[24/04/2023, 15:33:34] [REDACTED] I have spoken to the CIC previously and they believe that they do not need to respond to FOI requests but we receive lots of requests for data they hold so wasn't sure if our organisation should be answering on their behalf

[24/04/2023, 15:34:58] [REDACTED] If the CIC are confident they don't then it is likely they have assessed this

[24/04/2023, 15:35:35] [REDACTED] And if it would be your organisation answering these on behalf of the CIC, then it would be their decision as to whether or not they are subject to it

[24/04/2023, 15:37:28] [REDACTED] Sorry, I don't understand your last comment. The CIC can decide if they work to the FOI Act? Surely the legislation should be clear whether it applies or not?

[24/04/2023, 15:38:47] [REDACTED] The CIC should be the ones determining if they are subject to it or not

[24/04/2023, 15:39:11] [REDACTED] Thanks, that's helpful

From: [REDACTED] (SIRONA CARE & HEALTH)
To: [foi \(NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C\)](#)
Cc: [REDACTED] (SIRONA CARE HEALTH)
Subject: RE: Sirona and FOIs
Date: 22 June 2023 09:07:04
Attachments: [image001.jpg](#)

How's this...

Sirona care & health is a not-for-profit social enterprise, funded by the NHS and local authorities. The organisation serves its communities as a Community Interest Company, providing adult and childrens community healthcare services for the population of Bristol, North Somerset and South Gloucestershire. The organisation does not have a legal responsibility to comply with the Freedom of Information Act 2000, but it will attempt to respond to requests for organisational information/records wherever possible and practical in the interests of being open and candid.

Information Governance Manager/Data Protection Officer

- **Sirona care & health**

Address: Kingswood Civic Centre, High Street, Kingswood, Bristol, BS15 9TR

 **Telephone: 0300 124 5403*** [REDACTED]



 www.sirona-cic.org.uk

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From: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)

Sent: 21 June 2023 14:31

To: [REDACTED] (SIRONA CARE & HEALTH)

Cc: [REDACTED] (SIRONA CARE HEALTH)

Subject: RE: Sirona and FOIs

Thanks [REDACTED]

I think we were hoping you might be able to provide something more from the Sirona side, that says something along the lines of Sirona not being legally obliged to the FOI Act.

If Sirona is able to explain why they don't have to answer FOI requests, this will then help the ICB to explain why it needs to ask Sirona to supply us with the information, that would be really helpful.

Thanks,

Information Rights Coordinator

NHS Bristol, North Somerset and South Gloucestershire ICB

From: [REDACTED] (SIRONA CARE & HEALTH) [REDACTED]

Sent: Wednesday, June 21, 2023 1:27 PM

To: [REDACTED] (SIRONA CARE HEALTH) [REDACTED]; foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C) [REDACTED]

Subject: RE: Sirona and FOIs

Hi [REDACTED]

The only formal wording that I am aware of regarding our obligations to assisting with FOI requests, is contained within the standard NHS contract document. Come back to me if I can help further.

With thanks

[REDACTED]

Information Governance Manager/Data Protection Officer

• **Sirona care & health**

Address: Kingswood Civic Centre, High Street, Kingswood, Bristol, BS15 9TR

 **Telephone: 0300 124 5403*** [REDACTED]

 www.sirona-cic.org.uk

* Calls from landlines are charged up to 10p per minute; calls from mobiles vary, please check with your network provider. This is not a premium-rate number.

From: [REDACTED] (SIRONA CARE HEALTH) [REDACTED]

Sent: 19 June 2023 10:52

To: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
[REDACTED]

Cc: [REDACTED] (SIRONA CARE & HEALTH) [REDACTED]

Subject: RE: Sirona and FOIs

Dear [REDACTED]

I think [REDACTED] is best placed to respond to this.

[REDACTED]
Kind regards,

[REDACTED]
Information Governance Officer



• **Sirona Information Governance Team**

Second floor. Kingswood Civic Centre, High Street. Kingswood, Bristol, BS15 9TR



 www.sirona-cic.org.uk

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From: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
[REDACTED]

Sent: 15 June 2023 09:27

To: SIRONA.DATAPROTECTION(SIRONACARE&HEALTH) (SIRONA CARE HEALTH)
[REDACTED]

Subject: RE: Sirona and FOIs

Hi [REDACTED]

Did you manage to find anything?

Thanks,
[REDACTED]

Information Rights Coordinator

NHS Bristol, North Somerset and South Gloucestershire ICB

From: SIRONA.DATAPROTECTION(SIRONACARE&HEALTH) (SIRONA CARE HEALTH)
[REDACTED]

Sent: Tuesday, June 13, 2023 9:30 AM

To: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
[REDACTED]

Subject: RE: Sirona and FOIs

Morning [REDACTED]

I'm sure there is something – I'll have to find it for you. Will aim to get back to you by the end of

today.

KR,

From: foi (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)

Sent: 13 June 2023 08:33

To: SIRONA.DATAPROTECTION(SIRONACARE&HEALTH) (SIRONA CARE HEALTH)

Subject: Sirona and FOIs

Good morning,

I'm hoping someone might be able to help in [REDACTED] absence.

Does Sirona have any formal wording regarding their obligations in relation to the FOI Act.

Thanks,

Information Rights Coordinator

NHS Bristol, North Somerset and South Gloucestershire ICB

360 Bristol, Marlborough Street, Bristol, BS1 3NX

Website: bnssg.icb.nhs.uk



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From: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE CCG)
To: [REDACTED] (SIRONA CARE & HEALTH)
Cc: [REDACTED] (SIRONA CARE & HEALTH)
Subject: RE: Sirona and the FOI Act
Date: 10 September 2021 15:05:00
Attachments: [image001.png](#)

Excellent, thank you [REDACTED] that is really helpful and helps to clarify what I expected as part of the process.

It may be the same request you have received although as part of the internal review request the requestor has suggested that they won't send the request to Sirona as you are not subject to the FOI Act and therefore they won't receive a response. I will make sure that we are clear in the internal review response that Sirona would not ignore a request for information regardless of whether the Act applied.

Many thanks for your help

[REDACTED]

Corporate Support Officer

NHS Bristol, North Somerset & South Gloucestershire CCG

From: [REDACTED] (SIRONA CARE & HEALTH) [REDACTED]
Sent: 10 September 2021 14:55
To: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE CCG)
[REDACTED]
Cc: [REDACTED] (SIRONA CARE & HEALTH) [REDACTED]
Subject: RE: Sirona and the FOI Act

Hi [REDACTED]

There are those FOI requests that get directed to us by yourselves and those requests made by individuals to us.

We will (and have) supported the CCG with FOI requests, when directed to us and subject to that information being held.

If we did receive a request from the applicant themselves, then we would assist with that enquiry to demonstrate openness/transparency and process the request as if the act did apply but we would not be bound by it, including the timescales, promoting a Publication Scheme etc. Therefore in disclosing any information, we would consider whether that information was readily available, reasonable, already in the public domain, commercially sensitive and person identifiable etc (ie the FOI exemptions). We don't get many.

Our contract says that where we receive a request for info and we are not subject to the FOI act, then we will promptly transfer the request to the relevant commissioner. This is not reflected in the current arrangements. Co-incidentally, this week we have received a detailed request for information which we are currently processing. As part of the request, the applicant is stating that she was referred to us by the CCG (it might be the same one for which you are doing an internal review?). Our current plan is to consider whether that information is held and correspond direct, but subject to the considerations outlined above.

Let me know if we need to catch up further or if we need to tighten up on process.


With thanks

[REDACTED]

Information Governance Manager/Data Protection Officer

 **Sirona care & health**

Address: Kingswood Civic Centre, High Street. Kingswood, Bristol, BS15 9TR

 **Telephone: 0300 124 5403***



 www.sirona-cic.org.uk

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From: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE CCG)
Sent: 09 September 2021 15:00
To: [REDACTED] (SIRONA CARE & HEALTH)
Subject: Sirona and the FOI Act
Hi [REDACTED]

We have had someone ask for an internal review into an FOI response we sent recently where the data requested is held by Sirona and not the CCG. They have come back to say that Sirona is not subject to the FOI Act and therefore the CCG needs to send the information. In the response we directed the requester to Sirona as holder of the data, we didn't mention utilising the FOI Act when contacting Sirona.

I am just drafting the internal review response and it would be good to know the position of Sirona in terms of FOI. I know there is provision that some organisations are subject to the Act for some data dependent on contracts held with public authorities and it would be good to know Sirona's official position for the response.

Many thanks

[REDACTED]

Corporate Support Officer

NHS Bristol, North Somerset & South Gloucestershire CCG
South Plaza
Marlborough Street
Bristol
BS1 3NX

[REDACTED]

www.bnssgccg.nhs.uk



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From: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
To: [REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C);
[REDACTED] (NHS BRISTOL, NORTH SOMERSET AND SOUTH GLOUCESTERSHIRE ICB - 15C)
Subject: Sirona FOI meeting later
Date: 17 April 2024 09:11:52
Attachments: [FOI request flowchart.docx](#)
[image001.png](#)

Hi [REDACTED]

Ahead of our meeting with [REDACTED] later, please find attached which she has drafted.

[REDACTED]
[REDACTED]

Contract Support Officer (Children's and Community) BNSSG ICB

NHS Bristol, North Somerset & South Gloucestershire ICB
Floor 2, North Wing, 100 Temple Street, Bristol BS1 6AG

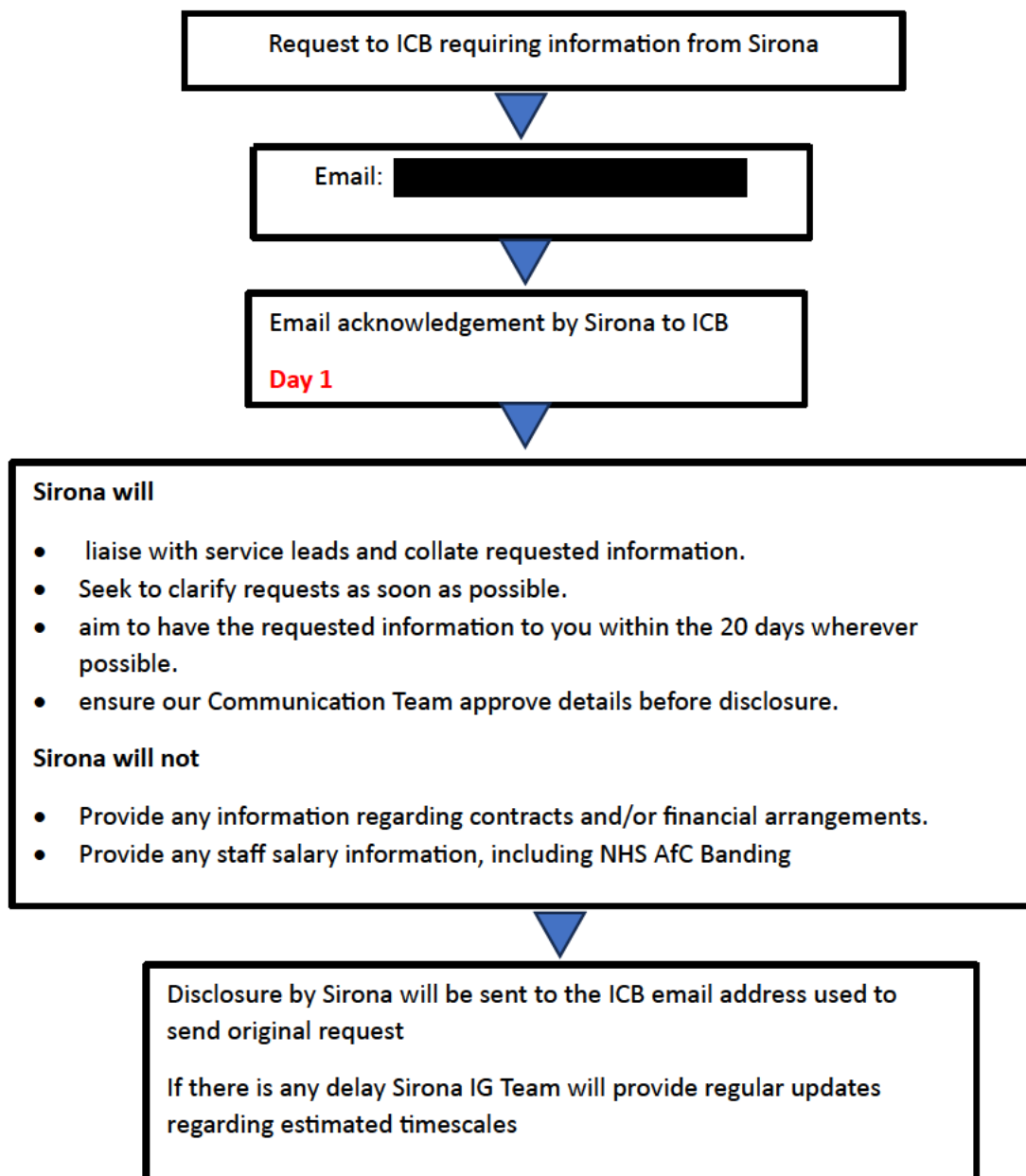
[REDACTED]

website: www.bnssg.icb.nhs.uk



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FOI request flowchart



Discussion

1. Contract arrangement regarding FOI's
2. Sirona = CIC not under same legal responsibility to comply with FOI's
3. Pressure this creates with 20 day response