



NHS Resolution 8th Floor
10 South Colonnade
Canary Wharf
London
E14 4PU
Telephone: 020 7811 2700

April 2025
FOI_7132

Thank you for your request of 1 April 2025 in which you requested the following information:

I would like to request the following information about trusts which have undergone reconfirmation of their submissions during the first five years of the maternity system.

For each trust where it was determined they had not “passed” the reconfirmation

- 1. If repayment of any money was requested, how much was that? What was the original sum awarded to them under the repayment scheme?*
- 2. Where a discretionary amount towards improvement/implementing an action plan was then awarded, how much was that in each case?*
- 3. Do you carry out any checks on how any discretionary sum is spent?*

So, to be clear, for an entry like this I would be looking for the total sum initially awarded, the amount repaid, and then the amount granted in discretionary funding.

Please supply in a spreadsheet by year (or include an extra column in your published reconfirmation log for the sums involved and send it to me, if easier).

Our response to your request for information

Thank you for your request for information. I am sorry for the delay in responding, since we wanted to consider fully the information requested and how this is most helpfully provided. NHS Resolution is able to confirm that it does hold the information you have requested, however it is not currently available in the requested form. We therefore believe an exemption available under the Freedom of Information Act 2000 (FOI Act) applies while we take time to bring together and quality assure this information. For the details of the relevant exemption and our explanation for its application please refer to our refusal notice below.

Refusal Notice - Section 22 (1) – Information intended for future publication

Section 22 (1) of the FOI Act provides that:

(1) Information is exempt information if—

(a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),

(b) the information was already held with a view to such publication at the time when the request for information was made, and

(c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

Whilst we do hold the information requested, it is currently held in a raw form which requires further reconciliation and analysis. It is our intention to make this information public once this process of reconciliation is complete. Section 22 is subject to a public interest test. Therefore, we have gone on to consider the public interest arguments in favour of and against the disclosure of the requested information in its current form.

Public Interest Considerations

Public Interest in favour of disclosure

We acknowledge that disclosure would help to demonstrate NHS Resolution's commitment to the principle of accountability and transparency as well as empowering individuals to analyse and question the financial information requested.

Public Interest against disclosure

We believe that disclosure in its raw form without further reconciliation would create a risk of placing incorrect information in the public domain.

Releasing the requested information in isolation will do nothing to assist public understanding and could result in questions being raised that would be addressed by the content of the final publication. Instead, it is proposed that this information is published as part of a planned annual update on the Maternity Incentive Scheme later this year.

The public interest in transparency and compliance with the FOI legislation is achieved by the publication of the contextual data. There is a stronger public interest in the information being released in its complete form so as to aid the public's understanding to avoid unnecessary questions being raised and to avoid unhelpful speculation and confusion.

It would be burdensome to take officers away from their normal day to day roles to provide this information in a raw and unaudited form when it is due for publication in any event, as part of our plans to publish an update on the maternity incentive scheme this year.

Balance of the public interest test

Having considered all the arguments for and against disclosure, NHS Resolution believes that there are stronger public interest arguments in favour of maintaining the exemption than those which favour releasing the withheld information at this current time.

This concludes our response to your request.

If you are not satisfied with the service that you have received in response to your information request, it is open to you to make a complaint and request a formal review of our decisions. If you choose to do this, you should write to [Joanne Appleby](#), Deputy Data Protection Officer for NHS Resolution, within 28 days of your receipt of this reply. Reviews of decisions made in relation to information requests are carried out by a person who was not involved in the original decision-making about the request.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a review of the decision. Generally, the Information Commissioner will not make a decision unless you have exhausted the local complaints procedure. The address of the Information Commissioner's Office is:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/>