

FOI DICLOSURE 12.09.2016 BY CARE QUALITY COMMISSION TO CLARE SARDARI ON CQC LEGAL SPENDING:

12 September 2016

Our Ref: CQC IAT 1617 0348

Dear Ms Sardari

Thank you for your correspondence of 22 August 2016 in which you asked for information about CQC's legal costs. I apologise for the delay in this response. The Information Access team has now coordinated a response to your request.

Your request for information

In accordance with section 1(1) of FOIA we are able to confirm that CQC does hold recorded information in relation to this matter and we have addressed each of your questions in turn.

1) The total cost of all CQC spend on external legal services for each of these financial years

2014/2015 - £746,459

2015/2016 - £712,523

2016/2017 year to 31 July 2016 – £213,910

2) The total cost of all CQC spend on internal legal services for each of these financial years

2014/2015 - £2,169,050

2015/2016 - £2,568,205

2016/2017 year to 31 July 2016 - £883,185

It should be noted that these figures include staff costs (salaries, national insurance, pension contributions etc.) plus other costs such as staff travel and subsistence costs when travelling on CQC business, training costs, administrative costs etc.

3) The total number of judicial reviews against CQC since 2009, and a breakdown of the issues to which these related.

Response to Question 3

The list below shows proceedings involving CQC which have advanced to judicial review. Applications for judicial review which were rejected by the court, either at permission stage or thereafter; or which were withdrawn by the applicant, are not included.

One such case proceeded in 2015, and a judgement was handed down on 12 August 2016. One judicial review commenced in 2016 and is currently ongoing.

Please note that the internal and external costs set out in response to questions one and two cover all aspects of the work of CQC Legal Services and spend on external legal services, not just the cost of judicial review work.

2015	The Queen on the application of SSP HEALTH LIMITED V CARE QUALITY COMMISSION	CQC has published information regarding the outcome of this case: http://www.cqc.org.uk/content/judge-finds-rating-review-process-fair-factual-accuracy-improved
2016	The Queen on the application of	Challenge to the decisions taken by CQC in relation to inspection and registration of Bootham Park

	A and B v THE CARE QUALITY COMMISSION (Bootham Park Hospital)	Hospital http://www.cqc.org.uk/content/bootham-park-hospital-update Permission granted – final hearing listed for 22-23 November 2016.
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Further details of the function Administrative Court can be found on the web-page below.

<https://www.justice.gov.uk/courts/rcj-rolls-building/administrative-court>

4) The total costs to CQC of the judicial review relating to the application by SSP Health in which judgment was given by the High Court on 12th August 2016, with an indication within CQC's response of the total cost to CQC of external legal services in this matter.

CQC does not hold, and cannot calculate, a total cost of its involvement in this judicial review.

Internal staff and administrative costs to CQC are not recorded in a way which assigns those costs to individual matters or cases, and therefore we have no way to disaggregate internal costs relating to this judicial review from overall Legal Services expenditure.

The external legal cost of this case to CQC was £26,654. This figure was inclusive of value added tax.

Feedback

CQC will always endeavour to provide the highest quality responses to requests for information and seek to provide responses that are as helpful as possible. We would therefore appreciate if you can complete our online feedback form by visiting the following website:

<http://webdataforms.cqc.org.uk/Checkbox/InformationAccessFeedback.aspx>

Any information you provide will be held securely and only used for the purposes of improving the Information Rights service that CQC provide.

Yours sincerely

The Information Access Team

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The Care Quality Commission is the independent regulator of all health and adult social care in England. www.cqc.org.uk. For general enquiries, telephone the National Contact Centre: **03000 616161**.

Statutory requests for information made pursuant to access to information legislation, such as the Data Protection Act 1998 and the Freedom of Information Act 2000, should be sent to: information.access@cqc.org.uk

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