

From: REDACTED

To: REDACTED

Sent: Thursday, 25 May 2023 at 08:04:12 BST

Subject: Section 10 FOIA failure and false claims by Sandwell and West Birmingham NHS Trust
FOI Request ref: F23/0023

Dear ICO,

Section 10 FOIA failure and false claims by Sandwell and West Birmingham NHS Trust FOI Request ref: F23/0023

I requested information from Sandwell and West Birmingham NHS Trust about services and products purchased from a private company, called "TheValueCircle" on 7 April 2023.

On 13 April 2023 the trust claimed it had "never" purchased any service from this company:

"We have never commissioned this company for any consultancy work, advice or any services."

I sent the trust the excerpt from its own trust board papers disproving this.

The FOI department ignored this.

Please see the relevant correspondence forwarded below.

In the meantime I wrote to the Trust Chair David Nicholson who had reportedly commissioned a report from TheValueCircle, to ask him if he had prior experience of the company or received a recommendation.

His office informed me on 18 April 2023:

"Sir David has confirmed that he has not used The Value Circle previously. Sandwell and West Birmingham used them and I understand that they produced a good report which focussed heavily on the culture and behaviour elements of governance. This was requested by Richard Beeken the CEO. There is no connection with NHSE."

This reply covers some of the elements of my FOI request but not all. I will also forward this correspondence from David Nicholson's office.

I would like a proper reply to my FOI request of 7 April 2023.

I note the variance between published board minutes and the Chair's current account of events as regards who actually commissioned the report by TheValueCircle.

The activities of TheValueCircle are currently a matter of intense public interest because they have been given the commission for a culture review at University Hospitals Birmingham NHS Foundation Trust due to a scandal following a BBC Newsnight investigation.

FOI requests show a pattern of questionable spending on this company by other NHS trust boards, with little accountability for large sums of money spent, and refusals to disclose reports or even claims that no reports existed after six figure sums were spent on TheValueCircle's services.

For example, Walsall Healthcare NHS Trust spent over £119K on consultancy but claimed it held no reports by TheValueCircle to show for this. Walsall Healthcare is another trust chaired by David Nicholson. This is the relevant FOI disclosure by Walsall Healthcare:

<https://minhalexander.files.wordpress.com/2023/05/walsall-the-value-circle-foi-009.23-24-response-full-1.pdf>

Adding to the issues of public interest and concern, a member of NHS England's board, Andrew Morris, works as a consultant for TheValueCircle.

Many thanks and best wishes,

Dr Minh Alexander

From: REDACTED

To: REDACTED

Sent: Thursday, 25 May 2023 at 07:33:21 BST

Subject: FOI Request ref: F23/0023

You have not replied to my email of 13 April

Your Chair confirmed that a report was produced.

I am now referring this matter to the ICO

BW

Minh

From: REDACTED

To: REDACTED

Sent: Thursday, 13 April 2023 at 15:14:27 BST

Subject: FOI Request ref: F23/0023

Hi,

I think you may be mistaken.

Your public trust board meetings indicate that your incoming Chair David Nicholson commissioned a governance review by this company, The Value Circle Company Number OC419158 in the summer of 2021:

*"As the new Chair, DN wanted to take the opportunity to have a fresh look at how the organisation was governed. The Board have **commissioned a governance review to be undertaken by The Value Circle during June and July**. He outlined the following areas of importance for the review:*

- 1. The Trust strategy and objectives – were they clear and being utilised*
- 2. Governance structures – how effective the meetings were, whether there was learning*
- 3. Executive portfolios and alignment*
- 4. Governance processes – quality, corporate in terms of risk, policy compliance, freedom to speak up, information governance*
- 5. Line of sight from Ward to Board as well as linkages across the organisation*
- 6. Evidence – view on level of staff and patient engagement, learning in the organisation*
- 7. Risks – identified, escalated, tracked and managed*
- 8. Any additional areas identified ahead of or during the assessment process.*

A comprehensive view would be important as the driving force behind deciding how to set the organisation up for success post-COVID. He thanked everyone for the work they would be doing to help make this a reality over the next few months."

[014-Public-Trust-Board-Meeting-Minutes-09-Jun-2021](#)
[PDF Document · 1 MB](#)

I'd be grateful if my FOI questions could therefore be answered.

Best wishes,

Minh

From: REDACTED

Subject: FW: FOI Request ref: F23/0023

Date: 13 April 2023 at 12:44:48 BST

To: REDACTED

Dear Minh,

Re: FOI request ref: F23/0023

Thank you for your freedom of information request.

We have never commissioned this company for any consultancy work, advice or any services.

1. No
2. N/A
3. N/A
4. N/A
5. N/A

I hope that the information provided in this email answers your query. However, if you are dissatisfied with the response please contact the Trust in the first instance with the details of your complaint so the Trust can conduct an internal review. Please address such requests to REDACTED or in writing to Kam Dhami, Director of Governance, Trust Headquarters, Sandwell Hospital, Lyndon, West Bromwich, B71 4HJ. Alternatively, if you remain unhappy with the outcome you can appeal directly to the Information Commissioner at the following address: www.ico.gov.uk

Kind regards

Freedom of Information Office

+ Trust Headquarters, Health and Wellbeing Centre, Sandwell General Hospital, Lyndon, West Bromwich B71 4HJ

Work undertaken for Sandwell and West Birmingham Hospitals by TheValueCircle LLP

Please disclose:

- 1) All pieces of work and projects that the trust has commissioned from the company TheValueCircle LLP Company Number OC419158
- 2) Total spending on TheValueCircle's services and products to date

- 3) Which consultants supplied by TheValueCircle have undertaken the work for the trust
- 4) Any reports produced by TheValueCircle arising from the work undertaken for the trust
- 5) Who/ what bodies/ organisations recommended TheValueCircle to the trust? Did NHS England or any of its predecessor bodies suggest that the trust hire TheValueCircle?

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