

## Freedom of Information Act 2000 disclosure log entry

### Reference

19-20196

### Date sent

26/09/2019

### Subject

GIDS: Longitudinal Outcomes Study

### Details of enquiry

1. Would you kindly share with me the REC application form for this study?
2. Would you kindly share with me a list of all supporting documentation that accompanied the REC application? (If it would be less onerous for you to supply the documents than to compile the list, please do so).
3. Would you kindly share with me your application to the NIHR for this study?
4. Would you kindly share with me a list of all supporting documentation that accompanied the NIHR application? (If it would be less onerous for you to supply the documents than to compile the list, please do so).
5. Would you please describe specifically which evidence is 'shifting'? For the sake of clarity, I am not concerned here with the limited nature of the evidence - which as you say is well-known - but specifically in the suggestion that the evidence is changing or shifting. What evidence did you have in mind when writing this?
6. If the following information is contained within the documents requested in Q1 and/or Q3, please disregard the following. But please share with me your assessment that a longitudinal approach is superior to one that incorporated an element of control

### Response Sent

1. Would you kindly share with me the REC application form for this study?  
We confirm that the Trust holds this information. However, it is exempt from disclosure based on sections 22(1)(a), 22A(1)(a), and 22A(1)(b)(ii) of the FOIA 2000. Please see Annex A for information on both sections of the Act.

In line with the terms of this exemption, we have considered whether it would be in the public interest for us to provide you with this information. When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors

Considerations favouring disclosure:  
Disclosure would enhance transparency.

Disclosure of the information under FOIA would be consistent with the NHS commitment to proactively publish data on matters of a wider public interest.

Considerations favouring withholding information from disclosure:  
In line with section 22A(1)(b), disclosure of the REC application while study recruitment is underway would likely prejudice both the continuation of the LOGIC study and the interests of children, young people and

their families who agree to participate in the study both now and in the future. There is the potential for harm to arise from the disclosure of REC application without it being sufficiently contextualised and carefully explained to patients and their families.

Further, in line with both sections 22(1)(a) and 22A(1)(a), salient information from the REC application is information currently held with a view to publication. The LOGIC study is a continuing programme of externally funded research, with high importance placed on the dissemination of findings at the earliest stage possible. Various specific publications are planned for submission to both the NIHR and open access peer reviewed journals. This includes two protocol papers which will include information directly taken from the REC application and which are currently being prepared with specific journals in mind. In this case therefore we have concluded that the public interest favours withholding the information.

2. Would you kindly share with me a list of all supporting documentation that accompanied the REC application? (If it would be less onerous for you to supply the documents than to compile the list, please do so).  
This information is withheld for the reasons stated in question 1 above.
3. Would you kindly share with me your application to the NIHR for this study?  
While we have a copy of some of what was submitted in the funding application to the NIHR, the application itself is held by the Department of Health and Social Care (DHSC). The application contains information from Universities and other organisations who are collaborating with us, and therefore, we recommend that any request should be directed to DHSC as the data controller. In line with our duty to advise and assist you under section 16 of the Act, please note that the 'contact us' section of the NIHR website (<https://www.nihr.ac.uk/about-us/contact-us/contact-us.htm>) has information on how to make an FOI request to the department.
4. Would you kindly share with me a list of all supporting documentation that accompanied the NIHR application? (If it would be less onerous for you to supply the documents than to compile the list, please do so).  
We do not hold a list of supporting documents for the NIHR application and therefore we cannot fulfil this request.
5. Would you please describe specifically which evidence is 'shifting'? For the sake of clarity, I am not concerned here with the limited nature of the evidence - which as you say is well-known - but specifically in the suggestion that the evidence is changing or shifting. What evidence did you have in mind when writing this?  
Disclosures of information, in accordance with The Freedom of Information Act 2000, are solely related to information recorded or held by the organisation at the time of request, and do not extend to the provision of opinions or creation of new information not already held at the time the request was received. We therefore confirm that the Trust does not hold this documentation and therefore cannot provide a response to this question.
6. If the following information is contained within the documents requested in Q1 and/or Q3, please disregard the following. But please share with me your assessment that a longitudinal approach is superior to one that incorporated an element of control  
Please see our response to question 5. above

ANNEX A.

Section 22

(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).

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

Section 22A

(1) Information obtained in the course of, or derived from, a programme of research is exempt information if—

(a) the programme is continuing with a view to the publication, by a public authority or any other person, of a report of the research (whether or not including a statement of that information), and

(b) disclosure of the information under this Act before the date of publication would, or would be likely to, prejudice —

- i. the programme,
- ii. the interests of any individual participating in the programme,
- iii. the interests of the authority which holds the information, or
- iv. the interests of the authority mentioned in paragraph (a) (if it is a different authority from that which holds the information).

(2) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1) if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1)(b).