

## Freedom of Information Act 2000 disclosure log entry

### Reference

19-20289

### Date sent

10/12/2019

### Subject

Legal Costs Invoicing

### Details of enquiry

1. Can you please provide me with copies of itemised invoices from DAC Beachcroft for the last 12 months?
2. If copies of invoices are not possible, can you tell me why this is not possible?
3. When invoices are received, are they sent to the relevant department for authorisation?
4. If invoices are sent to the relevant department for authorisation, are copies kept?
5. Can you supply copies of invoices from DAC Beachcroft that have been sent to the GIDS Service in the last 12 months?
6. Can you provide me with copies of invoices from DAC Beachcroft sent to the whole Trust in the last 12 months?
7. If question one is not possible, are you able to provide this information in another format? For example, if physical invoices on the legal firm's letterhead are not available, is the data available in electronic format? For example, in a spreadsheet or database? For the avoidance of doubt, I am researching amounts paid to DAC Beachcroft for their services to the GIDS Service.
8. When invoices are received, are they processed and assigned to a cost centre or department in the Trust, depending on the service or department who utilised the law firms services?
9. Can you tell me the cost centre(s) for the GIDS service? For clarity, I am looking specifically at cost centre(s) which legal invoices have been assigned to. Cost centres for other costs, for example stationery, supplies, staffing, are not something I am interested in at this time.
10. Sandy Benson states that categorisation of invoicing data varies. Can you please tell me what all of these categories are, and the reasons for the variations Sandy mentions?
11. If there is a specific cost centre for the GIDS Service so that expenditure can be allocated to the GIDS Service, can you tell me how much money has been paid from that cost centre to DAC Beachcroft in the last 12 months? Can you also include a breakdown of these costs?

### Response Sent

1. Can you please provide me with copies of itemised invoices from DAC Beachcroft for the last 12 months?  
The Trust uses DAC Beachcroft as professional advisers across a number of legal disciplines. These include Employment, Pensions, Tax, Immigration, Corporate Governance.

The Trust regards the invoices as exempt under the Freedom of information Act under the following sections.

- Section 40 of the Freedom of Information Act in that it discloses personal data.
  - Section 42 of the Freedom of Information Act in that the information relates to matters which are subject of legal privilege. In applying this exemption the Trust has considered its duty of public interest and in doing it confirms:
    - That the benefit of disclosure may be of public interest in respects of matters which the Trust is seeking advice upon.
    - However, the Trust has a right to seek and receive legal information to assist with its consideration of handling matters and where there is a legal case in preparation for that. Disclosure is likely to or may prejudice the organisation's position in matters which are sensitive.
    - As a result of this consideration, the disadvantages outweigh the advantages and it is not within the public's interest for the matters to be disclosed.
  - Section 43 which relates to matters which are commercially sensitive, for this exemption the Trust considers:
    - There is a benefit of disclosure relating to the amount of money the Trust uses for legal service.
    - However, DAC Beachcroft LLP are a commercial supplier and their charge rates are a matter of commercial sensitivity. Disclosure of those would not be in the organisation's benefit and could act further as an advantage to their competitors.
    - As a result of this consideration, the disadvantages outweigh the advantages and it is not within the public's interest for the matters to be disclosed.
2. If copies of invoices are not possible, can you tell me why this is not possible?  
The exemptions have been described in point 1. above
  3. When invoices are received, are they sent to the relevant department for authorisation?  
All invoices are sent to our outsourced accounts receivable service, NHS Shared Business Services, where they are scanned and then administered in to our financial ledger. Prior to costs being incurred a purchase order is generated for the corresponding invoice sums and upon receipt are matched and BACS raised.
  4. If invoices are sent to the relevant department for authorisation, are copies kept?  
Copies are retained on our financial ledger in a scanned format.
  5. Can you supply copies of invoices from DAC Beachcroft that have been sent to the GIDS Service in the last 12 months?  
The copies of invoices are exempt as described in point one. However, the Trust can confirm there have been no invoices sent to the Gender Identity Development Service. All invoices for DAC Beachcroft are handled by the Trust's Human Resources and Corporate Governance Directorate.
  6. Can you provide me with copies of invoices from DAC Beachcroft sent to the whole Trust in the last 12 months?  
These are exempt and the rationale described in point one.
  7. If question one is not possible, are you able to provide this information in another format? For example, if physical invoices on the legal firm's letterhead are not available, is the data available in electronic format?

For example, in a spreadsheet or database? For the avoidance of doubt, I am researching amounts paid to DAC Beachcroft for their services to the GIDS Service.

No, for the reasons described previously the information is exempt.

8. When invoices are received, are they processed and assigned to a cost centre or department in the Trust, depending on the service or department who utilised the law firms services?

Yes, they are assigned to the Human Resources cost centre.

9. Can you tell me the cost centre(s) for the GIDS service? For clarity, I am looking specifically at cost centre(s) which legal invoices have been assigned to. Cost centres for other costs, for example stationery, supplies, staffing, are not something I am interested in at this time.

The GIDS cost centre is number J56002.

As described earlier, no legal expenditure is charged to this cost centre

10. Sandy Benson states that categorisation of invoicing data varies. Can you please tell me what all of these categories are, and the reasons for the variations Sandy mentions?

The data categorising itemises the activities our law firm undertakes illustrative examples are: telephone conversation between XX and XX; preparation of letter; compiling of employment tribunal documentation.

11. If there is a specific cost centre for the GIDS Service so that expenditure can be allocated to the GIDS Service, can you tell me how much money has been paid from that cost centre to DAC Beachcroft in the last 12 months? Can you also include a breakdown of these costs?

As described, previously, all legal expenditure is charged to the HR Cost Centre.