



National Audit Office

The UK's independent public spending  
watchdog

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## PROGRESS WITH NEW HOSPITALS PROGRAMME

Thank you for contacting the National Audit Office on 19 July 2023 about our '[Progress with the New Hospital Programme](#)' report. You requested that we share more than 450 documents that the study team working on our report received. As this was a request for recorded information, our acknowledgement explained that we would handle it under the terms of the Freedom of Information Act 2000 (FOIA).

Having considered the broad and extensive nature of your request, our initial assessment is that we would be unable to comply with it due to the very significant burden it would impose on the NAO's resources. We are therefore writing to advise you that, were we to proceed in providing a response to this request, we would be likely to refuse it in accordance with Section 14 of the FOIA.

The Information Commissioner's guidance explains that Section 14(1) can apply to a single request where the amount of time required to review and prepare the information for disclosure would impose a grossly oppressive burden on an organisation. This is most likely to be the case where:

- the requester has asked for a substantial volume of information; and
- a public authority has real concerns about potentially exempt information; and
- the public authority cannot easily isolate any potentially exempt information because it is scattered throughout the requested material.

We consider the above points apply to your request, given the number of documents involved and exemptions that are likely to apply to the information. You may wish to submit a more focussed request, clarifying your specific areas of interest. This would make it more manageable for us to respond to, although it doesn't necessarily mean the information would be released.

This information was provided to the NAO by the Department of Health and Social Care (DHSC) for the purposes of our audit of the New Hospitals Programme, and our initial view is that it is likely to be exempt under section 33 of FOIA (public audit). DHSC is the owner of this information and, while we will respond to information requests and associated queries, we believe DHSC is better placed to assess the sensitivity associated with specific documents. If you have further queries in respect of this information, you may therefore wish to contact DHSC directly.



We have no understanding of what your or the Council's particular interest in the New Hospital Programme may be. However, if you are not already aware, you may be interested to know that the Public Accounts Committee has launched an inquiry – see further information here: [New Hospital Programme - Committees - UK Parliament](#) – following publication of our report. It will hold a public hearing in the autumn.

I hope this explanation is helpful. If, having considered the above, you would nevertheless like us to proceed with your original request, please confirm this in writing and we will do so in accordance with FOIA.

Yours sincerely,

**NAO FOI Team**