

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 1 April 2014

Public Authority: Camden & Islington NHS Foundation Trust
Address: 1st Floor, East Wing
St Pancras Hospital
4 St Pancras Way
London
NW1 0PE

Decision (including any steps ordered)

1. The complainant has requested information in relation to a previous information request he made dated 24 April 2014 and subsequent complaints and investigations flowing from that request. Camden & Islington NHS Foundation Trust responded to the complainant but it did not do so within the statutory time for compliance.
2. The Commissioner's decision is that Trust has breached section 10 in the handling of this request.
3. The Commissioner requires no steps to be taken.

Request and response

4. On 18 December 2014, the complainant made a request to the Trust for the following information:

"Under provisions in the Freedom of Information Act 2000 please provide me copies of all information (internal and external emails, notes, letters, memos, etc.) you hold in relation to my information request dated 24 April 2014 and subsequent complaints and investigations flowing from that request.

Rather confusingly, the Trust has allocated several different case numbers to this matter including 2014-121, 2014-022, 2014-045. The Information Commissioners Office case reference is FS50554763."

5. The Trust responded to the complainant on 20 March 2015.

Scope of the case

6. The complainant contacted the Commissioner on 13 February 2015 to make a complaint as the Trust had not responded to his request.
7. During the course of the Commissioner's investigation the Trust did respond to the complainant. The Commissioner has considered whether the Trust has complied with section 10 FOIA in its handling of this request.

Reasons for decision

8. Section 10 of FOIA states that, "Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."
9. In this case the complainant submitted his request on 18 December 2014 and the Trust did not respond until 20 March 2015. The Trust did not therefore respond within 20 working days. As it did not respond within the statutory time for compliance it breached section 10(1) FOIA in relation to its handling of this request.

Right of appeal

10. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

11. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
12. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Pamela Clements
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF