

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 22 June 2021

Public Authority: Beacon Medical Group (see Annex A)
Address: Plympton Health Centre
Mudge Way
Plymouth
PL7 1LD

Decision (including any steps ordered)

1. The complainant requested policies relating to the placing of patients on the Covid-19 clinically extremely vulnerable list, as well as policies relating to the re-registering of patients to other GP's.
2. The Commissioner's decision is that Beacon Medical Group has breached section 10(1) of the FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. No steps are required.

Background and Nomenclature

4. The Commissioner has identified that the public authority in this case is the 20 partner GP's who fall under the group name of Beacon Medical Group, rather than Beacon Medical Group in its entirety.
5. For the purpose of the administration of this Decision Notice, the Commissioner will continue to use the name Beacon Medical Group when referring to the public authority, however full details of the GP's names, who are the public authority for the purposes of FOIA, can be found in Annex A at the end of this Notice.

Request and response

6. On 19 February 2021, the complainant wrote to Beacon Medical Group and requested information in the following terms:

"I request all practices and policies related to authority for your practice to placing patients on the covid clinical extremely vulnerable list as I have checked the NHS Guidance and I do not meet any of the identified criterion to be placed on such a list. In addition, I want policy and practice your surgery operates for re-registering patients to other GPs without informing or obtaining consent from the patient."

7. Beacon Medical Group acknowledged the request on 24 February 2021. A response was provided on 20 April 2021.

Scope of the case

8. The complainant contacted the Commissioner on 21 April 2021 to complain about the failure, by Beacon Medical Group, to respond to the request within the statutory timeframe of 20 working days.
9. The Commissioner wrote to Beacon Medical Group on 21 May 2021 asking it to respond to the request within 10 working days.
10. Beacon Medical Group responded to the Commissioner on 24 May 2021 to confirm that it had provided a response to the request for information on 20 April 2021, and provided a copy of this response to the Commissioner on 26 May 2021.
11. The complainant confirmed to the Commissioner on 14 June 2021, that they had received Beacon Medical Group's response, dated 20 April 2021.
12. The Commissioner has considered whether Beacon Medical Group has complied with its obligations in relation to the time for compliance at section 10(1) of the FOIA.

Reasons for decision

13. Section 1(1) of the FOIA states that:

Any person making a request for information to a public authority is entitled –

- (a) *to be informed in writing by the public authority whether it holds information of the description specified in the request, and*
 - (b) *if that is the case, to have that information communicated to him.*
- 14. Section 10(1) of the FOIA states that responses to requests made under the Act must be provided "*promptly and in any event not later than the twentieth working day following the date of receipt.*"
- 15. From the evidence presented to the Commissioner in this case, it is clear that, in failing to issue a response to the request within 20 working days, Beacon Medical Group has breached section 10(1) of the FOIA.
- 16. As the complainant has confirmed the information requested has now been received no further steps are required.

Right of appeal

17. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

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

18. 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.
19. 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

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

Annex A

1. The partner GP's who are the public authority for the purposes of FOIA, which the Commissioner has referred to throughout this Decision Notice as Beacon Medical Group, are as follows:

- Dr Rebecca Evans
- Dr Matt Funnell
- Dr Steve Harris
- Dr Gary Davies
- Dr Danny Fay
- Dr Amy Newstead
- Dr Sadie Jones
- Dr Claire Bruce
- Dr Louise Horrocks
- Dr Helen Richmond
- Dr John Fotheringham
- Dr Andrew Mercer
- Dr Udeka Senaratne-Niland
- Dr Alex Newman
- Dr Rebecca Evans
- Dr David Gwynne
- Dr Dafydd Jones
- Dr Victoria Goddard
- Dr Sarah Huddleston
- Dr Ali McEwing