

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 22 October 2021

Public Authority: Woodgrange Medical Practice (see Annex A)

Address: 40 Woodgrange Road
Forest Gate
London
E7 0QH

Decision (including any steps ordered)

1. The complainant requested details of the medical insurance provider of Woodgrange Medical Practice.
2. The Commissioner's decision is that Woodgrange Medical Practice failed to respond to the request within 20 working days and has therefore breached section 10 of the FOIA.
3. The Commissioner requires Woodgrange Medical Practice to take the following steps to ensure compliance with the legislation.
 - Issue a substantive response, in accordance with its obligations under the FOIA, to the request.
4. Woodgrange Medical Practice must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the FOIA and may be dealt with as a contempt of court.

Background and Nomenclature

5. The Commissioner has identified that the public authority in this case is the 2 partner GPs who fall under the group name of Woodgrange Medical Practice, rather than Woodgrange Medical Practice in its entirety.
6. For the purpose of the administration of this Decision Notice, the Commissioner will continue to use the name Woodgrange Medical Practice ("the Practice") 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

7. On 8 June 2021, an NHS Complaint Advocate wrote to the Practice on behalf of the complainant and requested information in the following terms:

"Under the Freedom of Information Act (FOI) please can you provide the contact details – including name and address of the Practice's Medical Insurer Provider."

8. The Practice had failed to acknowledge the request, or to provide a substantive response by the date of this notice.

Scope of the case

9. The complainant contacted the Commissioner on 16 July 2021 to complain about the failure, by the Practice, to respond to the request.
10. In line with her usual practice, the Commissioner contacted the Practice on 4 October 2021 to highlight the outstanding response. She requested that the Practice respond to the request within 10 working days. The correspondence was neither acknowledged nor responded to.
11. The scope of this notice and the following analysis is to consider whether the Practice has complied with section 10 of the FOIA.

Reasons for decision

12. 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.*

13. Section 10 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.*"

14. 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, the Practice has breached section 10 of the FOIA.

Right of appeal

15. 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

16. 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.
17. 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

Michael Lea
Team Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Annex A

The partner GP's who are the public authority for the purposes of FOIA, which the Commissioner has referred to in this Decision Notice as Woodgrange Medical Practice, are as follows:

- Dr Sanjay J Parmar
- DR Muhammad Waqqas Naqvi