

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date** 1 July 2024

**Public Authority:** Dr Graham Jackson, Dr Nicola Draper, Dr Rhiannon Turner, Dr Souvik Paul, Dr Rachel Moghal, Dr Zenobia Sheikh, Dr Anwar Shahed (partners of Whitehill Surgery)

**Address:** Whitehill Surgery  
Oxford Road  
Aylesbury  
Buckinghamshire  
HP19 8EN

#### **The status of GPs under FOIA:**

The complainant requested information from Whitehill Surgery. The Commissioner notes that Whitehill Surgery itself is not a public authority for the purposes of the FOIA. Rather, each GP within the surgery is a separate legal person and therefore each is a separate public authority. The Commissioner acknowledges that when a person makes a freedom of information request to a medical surgery, it is reasonable to expect for convenience that the surgery will act as a single point of contact. For ease and clarity, this decision notice refers to the GP's collectively as the public authority.

**Request:**

The complainant requested the following information from the public authority on 14 March 2024:

"I am writing to request information under the Freedom of Information Act relating to WHITEHILL SURGERY.

Please can you send me the following information accurate as of 14th March 2024:

1. Number of registered patients WHITEHILL SURGERY provides services to
2. Breakdown of clinical staff providing services to patients, to include qualification level (e.g. GP, Nurse, Paramedic, any other practitioner) and full time equivalent values for part-time staff
3. Breakdown of on the day appointments available, average for past 3 months. To detail appointments with each type of clinical staff
4. Number of unique callers to WHITEHILL SURGERY on the day appointments line each minute from 08:30-09:30 daily, average for the past 3 months. By unique I mean different caller numbers. (Withheld numbers to be listed separately as this could include repeat callers)
5. Number of failed calls to the on the day appointments queue (i.e. calls which do not reach queue system) each minute from 08:30-09:30 daily including reason (e.g. telephone system at limit), average for past 3 months (I read online that the telephone system has a limit of 65 callers, please confirm this)"

**Commissioner's Decision:**

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

**Steps:**

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 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 FOIA and may be dealt with as a contempt of court.

**Right of Appeal:**

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](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF**