Freedom of Information Request

Reference Number: EPUT.FOI.18.495
Date Received: April 2018

*Note to Applicant: As of 1 April 2017, North Essex Partnership University NHS Foundation Trust (NEP) and South Essex Partnership University NHS Foundation Trust (SEPT) merged to form one new organisation known as Essex Partnership University NHS Foundation Trust (EPUT).

Information Requested:

RE: Freedom of Information Request / Intensive Support Team / Essex Area

I write further to my telephone request to the manager of the above team where I requested in writing the following information within 3 days:

1. Criteria for patients referred to the above service and reason

To date I have not received any acknowledgment response or reply. I have now made a formal complaint to the complaints team.

I write again to request:

   The Trust considers this information to be the personal information of the named patient. Personal information is exempt from disclosure under Section 40 (Personal Information) of the Freedom of Information Act 2000.

2. Criteria for patients being referred to this team
   Please type response here

3. Number of staff employed for the last 5 years
   Please type response here

4. Funding available to the team for the last 5 years
   Please type response here

5. Number of patients treated by the team (total number) in last 5 years
   Please type response here

6. Total number of patients treated by the team of the past 5 years who had mental illness problems
   Please type response here

7. Number of patients referred to the team in total for the last 5 years
   Please type response here

8. Number of patient refused acceptance by the team
   a. With mental illness problems
      Please type response here
b. Total number of referrals

Please type response here

Applied Exemption:

Section 40: Personal information

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if—

(a) it constitutes personal data which do not fall within subsection (1), and

(b) either the first or the second condition below is satisfied.

(3) The first condition is—

(a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—

(i) any of the data protection principles, or

(ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and

(b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

(4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject’s right of access to personal data).

(5) The duty to confirm or deny—

(a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and

(b) does not arise in relation to other information if or to the extent that either—

(i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 1998 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or
(ii) by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(a) of that Act (data subject’s right to be informed whether personal data being processed).

(6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 1998 shall be disregarded.

(7) In this section— “the data protection principles” means the principles set out in Part I of Schedule 1 to the Data Protection Act 1998, as read subject to Part II of that Schedule and section 27(1) of that Act;

- “data subject” has the same meaning as in section 1(1) of that Act;
- “personal data” has the same meaning as in section 1(1) of that Act.