Freedom of Information Request

Reference Number: EPUT.FOI.19.1000
Date Received: 07 March 2019

Information Requested:

1. How many FOI requests were received by your Trust each month between 1 April 2018 and 30 November 2018? Please provide the individual monthly figures rather than an aggregated one. The figures will be anonymised on data entry.
   - April - 57
   - May - 44
   - June - 41
   - July - 59
   - August - 49
   - September - 40
   - October - 47
   - November - 52

2. How many FOI requests were responded to by your Trust over the 20 working day Information Commissioner’s Office limit each month between 1 April 2018 and 30 November 2018? Please provide the individual monthly figures rather than an aggregated one. The figures will be anonymised on data entry.
   - April - 8
   - May - 7
   - June - 12
   - July - 10
   - August - 18
   - September - 4
   - October - 3
   - November - 2

   Please note that all requests responded to after the 20 working days were extended with the agreement of the applicants.

3. How many staff does your Trust employ to coordinate FOI responses, and what are the normal working hours (e.g. Full time, 0.5wte/18 hours per week)
   The Trust has 1WTE FOI/DPA Lead.

4. How long have staff processing FOI requests been in post for in years/months?
   The Trusts FOI/DPA lead has been in post since 2011.

5. Have staff handling FOI requests previously worked in the NHS prior to taking up their present role? (If yes, was that work in a clinical capacity such as nursing?)
   Yes within a non-clinical setting

6. What NHS grade are staff handling FOI requests?
   Band 5.
7. What software solution does your Trust use to manage and log the FOI requests process? (e.g. MS Outlook, MS Excel spreadsheets, MS Access databases, Ulysses Request for Information Module, DropPane, Datix, paper register)
   Excel

8. Is the software used for managing FOI requests the same as that used by your Trust’s Subject Access request team?
   Non-health Subject Access Requests are logged on an Excel spreadsheet and Health Subject Access Requests are logged on an Excel spreadsheet and scanned to Laserfiche.

9. What is your Trust’s annual overall budget for the current financial year 2018/2019?
   The Trusts planned income was £299.6m

10. How many staff overall are employed by your Trust?
    The Trust believes that this information is publicly available on its website at the following link. https://eput.nhs.uk/about-us/

11. Approximately how many patients come within your Trust’s catchment area?
    EPUT provide community health, mental health and learning disability services for a population of approximately 1.3 million people throughout Bedfordshire, Essex, Suffolk and Luton.

12. Have your FOI coordination staff attended externally provided training courses on Freedom of Information? If so, could you list the provider?
    The Trust is unable to provide this information because it believes that staff training is the personal information of that individual. Personal information is exempt under Section 40 (Personal Information) of the Act.

13. Have you run FOI awareness campaigns within your Trust to raise knowledge of legal requirements, and change attitudes? For instance, has your Trust invited a speaker from the ICO to give a talk on FOI or Data Protection, and was this an effective approach? Information and updates are sent to staff via internal Trust bulletins and Management Development Programme Training.

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**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.