

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 7 September 2018

Public Authority: South East Coast Ambulance Service
NHS Foundation Trust

Address: Heath Road
Coxheath
Kent ME17 4BQ

Decision (including any steps ordered)

1. The complainant requested information from South East Coast Ambulance Service (SECAS) about ambulance handovers.
2. The Commissioner's decision is as follows:
 - SECAS breached section 10(1) of the FOIA as it did not comply with section 1(1) within 20 working days.
3. SECAS has now provided a response to the request and no steps are necessary to comply with the legislation.

Request and response

4. On 13 April 2018, the complainant wrote to SECAS and requested information in the following terms:

"Under the Freedom of Information Act, could you provide me with a database extract for the period from July 1, 2017 to March 31, 2018 with data for every ambulance handover, containing columns for A&E department where handover took place, date or month, notification time or time ambulance arrived at A&E, time handover took place/handover

time/tunaround time, what level of call the ambulance was on (e.g. Red 1, Category 1 etc.).

Please provide information as a spreadsheet or CSV."

5. SECAS acknowledged the complaint on 13 April 2018. The complainant did not go on to receive a response and contacted the Commissioner.
6. The Commissioner wrote to SECAS on 6 August 2018 and asked it to provide a response to the request within 10 working days. On 22 August the complainant advised the Commissioner that she still had not received a response.
7. SECAS subsequently contacted the Commissioner, acknowledged that its delay in responding to the request was unacceptable and explained why the delay had occurred. SECAS indicated that it had released the requested information to the complainant and, on 3 September 2018, the complainant confirmed she had received a response to her request.

Scope of the case

8. The complainant contacted the Commissioner on 26 July 2018 to complain about the way her request for information had been handled.
9. The Commissioner's investigation has focussed on SECAS' obligation under section 10(1) of the FOIA.

Reasons for decision

Section 10 – time for compliance

10. Section 1(1) of the FOIA says that anyone who requests information from a public authority is entitled (a) to be told whether the authority holds the information and (b) to have it communicated to him or her if it is held.
11. Section 10(1) says that a public authority must comply with section 1(1) as soon as possible and within 20 working days following the date of receipt of the request.
12. The complainant submitted her request to SECAS on 13 April 2018 and did not receive a response until some four months later. SECAS therefore breached section 10(1) with regards to this request.

Right of appeal

13. 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: 0300 1234504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

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

14. 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.
15. 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

Pamela Clements
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SK9 5AF