

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

### **Decision notice**

**Date:** 23 August 2024

**Public Authority:** Hampshire and Isle of Wight Integrated Care Board

**Address:** Omega House  
112 Southampton Road  
Eastleigh  
SO50 5PB

#### **Decision (including any steps ordered)**

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1. The complainant requested correspondence relating to continuing healthcare plans.
2. The Commissioner's decision is that the above public authority ("the public authority") failed to respond to the request within 20 working days and therefore breached section 10 of FOIA.
3. The Commissioner does not require further steps.

#### **Request and response**

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4. On 22 June 2023, the complainant wrote to the public authority as part of correspondence regarding a draft book and made several requests for information including one in the following terms:  

"under Freedom of Information, please provide all correspondence relating to questions asked by NHSE and the responses from the CCG/ICB to the data highlighted in the draft book."
5. The request was acknowledged the following day but no response was provided until March 2024. The public authority denied holding information within the scope of the complaint.

## **Scope of complaint**

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6. The complainant has explained to the Commissioner that he is sceptical that no relevant information is held, though he is content to pursue this point by other means. He did however wish the Commissioner to make a formal record of the lengthy delay, by the public authority, in responding to the request.

## **Reasons for decision**

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7. The Commissioner considers that the request in question constituted a valid request for recorded information under FOIA.
8. Although the request was communicated to a solicitor, the Commissioner is satisfied that the solicitor had been instructed by the public authority and that the complainant had been asked to direct any correspondence to the public authority via the solicitor. He also notes that the public authority dealt with other elements of the same correspondence, including responding to those parts which sought information.
9. 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 public authority has breached section 10 of FOIA.

## **Right of appeal**

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10. 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)

11. 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.
12. 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 by**

**Roger Cawthorne**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**