

Freedom of Information Act 2000 (FOIA) Decision notice

Date: 22 October 2024

Public Authority: Imperial College Healthcare NHS Trust

Address: The Bays
South Wharf Road
St Mary's Hospital
London
W2 1NY

Request:

The complainant requested the following information from the Imperial College Healthcare NHS Trust on 26 July 2024:

"Can I please make a Freedom of Information for details of disruption to operating theatres caused by issues and/or failures with the physical environment. This may include - but is not limited to - flooding, room temperature, inadequate ventilation, loss of power, mould, ceiling collapse and water supply.

Can I please request a copy of:

- Details of all incidents related to the physical environment or building that caused downtime in operating theatres since 2019 to date.

- For each, can you please share: overview of issue with physical environment that caused downtime, length of downtime in hours, number of cancelled operations as a result, theatre affected and year of incident."

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
Website: 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**

Reference: IC-332093-D0L3

Cheshire
SK9 5AF