

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 20 November 2024

Public Authority: UK Health Security Agency

Address: Wellington House
133-155 Waterloo House
London
SE1 8UG

Request:

The complainant requested the following information from UK Health Security Agency on 26 July 2024:

"I am writing to make a Freedom of Information request as follows:

1. Please is the UKHSA able to confirm receipt of the following open letter from the Royal College of Nursing (RCN), dated 21 December 2023?

<https://www.rcn.org.uk/news-and-events/news/uk-covid-jn-1-variant-rcn-seeks-assurance-on-new-ppe-advice-211223>

2. Please are you able to provide any replies or responses that the UKHSA has made to this letter, and any further correspondence regarding this matter?

In particular, please are you able to show any replies or responses relating to this section of the letter by the Royal College of Nursing:

"The RCN is asking for a revision to current guidelines, to introduce universal implementation of the 2 measures advised by the World Health Organization (WHO) to help protect health care staff against COVID-19.

Earlier this week, in light of the new COVID JN.1 variant, WHO advised health care workers and health facilities to:

- implement universal masking in health facilities, as well as appropriate masking, respirators and other personal protective equipment for health workers caring for suspected and confirmed COVID-19 patients
- improve ventilation in health facilities.

The existing national infection prevention and control manuals don't require standardised masking for COVID-19, and decisions on respiratory protective equipment are left to local risk assessments. This is now inconsistent with WHO's latest advice.

We also have concerns about the adequacy of ventilation in general ward and outpatient areas within hospital buildings and believe that action must be taken to assess and improve this."

3. Some of the measures the World Health Organization advise include:

"For health workers and health facilities, WHO advises:

-Universal masking in health facilities, as well as appropriate masking, respirators and other PPE for health workers caring for suspected and confirmed COVID-19 patients.

-Improve ventilation in health facilities"

The link to this information is here:

<https://worldhealthorganizationdepartmentofcommunications.cmail20.com/t/d-e-vkkjyud-jyyhcddb-f/>

Does the UKHSA support these measures advised by the World Health Organization? Please provide yes or no answers and reasoning for each specific point:

-Universal masking in health facilities;

-Appropriate masking, respirators and other PPE for health workers caring for suspected and confirmed COVID-19 patients

-Improve ventilation in health facilities.

4. If the UKHSA does support the measures in point 3 for health workers and health facilities, what steps have been taken with connected departments, organisations and/or bodies, to try to help ensure that these are implemented?"

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
Cheshire
SK9 5AF**