

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 7 September 2017

Public Authority: West Area Health NHS Trust
Address: Weston General Hospital
Grange Road
Uphill
BS23 4TQ

Decision (including any steps ordered)

1. The complainant has requested information relating to data about CYP autism spectrum disorder assessments (SCAMP) for the year to end August 2016. West Area Health NHS Trust (WAHT) has failed to respond to this request.
2. The Commissioner considers that WAHT breached section 10(1) FOIA in the handling of this request.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
 - WAHT must provide the complainant with a response to this request in accordance with its obligations under FOIA.
4. The public authority must take these steps within 35 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 the Act and may be dealt with as a contempt of court.

Request and response

5. On 17 June 2017 the complainant made the following request to WAHT:

" Attached is a spreadsheet, sent to me by Mark Hemmings from North Somerset CCG, with data about CYP autism spectrum disorder assessments (SCAMP) for the year to end August 2016. I believe the spreadsheet per se is

from the CCG but the data it is populated with comes from WAHT, but I may be wrong there.

Request 1

The last row of this spreadsheet (KPI reference D1) lists the number of children diagnosed with ASD each month and provides a YTD total at the end. For the period September 2015 – August 2016 (namely, the period covered by the attached spreadsheet) I would like to know how many ASD assessments were completed each month, along with the YTD total, so that I can accurately calculate (or you can provide) the proportion/percentage of assessments carried out that lead to a diagnosis of ASD. (If for any bizarre reason the number of children diagnosed with ASD and those found not to have ASD do not add up to the total number of assessments carried out please explain why, along with a breakdown of the figures.)

Request 2

Please would you provide monthly figures for each of the KPI references in this spreadsheet (S1, S2, S3, S4, S5, S6, S7, S8, S10, S11, S12, S13, S14, S15, S16, S17, S18, S19, A1, A2, A3, A4, A5, A6, D1) for each month where figures are available from September 2016 to May 2017. Where figures are not available please explain why.

Request 3

For the period September 2016 – May 2017 I would like to know how many ASD assessments were completed each month so that I can accurately calculate (or you can provide) the proportion/percentage of assessments carried out that lead to a diagnosis of ASD.

6. WAHT has not responded to this request.

Scope of the case

7. The complainant contacted the Commissioner on 5 August 2017 to complain about the way his request for information had been handled.
8. The Commissioner has considered whether WAHT dealt with this request in accordance with its obligations under section 10(1) FOIA.

Reasons for decision

9. Section 10(1) provides that:

"Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."

10. Section 1(1) provides that:

"Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him."

11. The request was made on 17 June 2017 and a response has not yet been provided. The Commissioner therefore finds that WAHT breached section 10(1) in failing to respond within 20 working days.

Right of appeal

12. 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

13. 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.
14. 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

Gemma Garvey

Senior Case Officer

Information Commissioner's Office

Wycliffe House

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Wilmslow

Cheshire

SK9 5AF