

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 19 August 2013

Public Authority: Barnet, Enfield and Haringey Mental Health NHS Trust

Address: B2, St Ann's Hospital
London
N15 3TH

Decision (including any steps ordered)

1. The complainant has requested information on the future of St Ann's Hospital. Barnet, Enfield and Haringey Mental Health NHS Trust ("the Trust"). The Trust did not respond to this request within the 20 working day timescale for compliance.
2. The Commissioner's decision is that the Trust breached section 10(1) of the FOIA as it did not provide this information within the statutory time for compliance.
3. The Commissioner requires no steps to be taken.

Request and response

4. On 22 March 2013, the complainant wrote to the Trust and asked a number of questions, some of which were not requests for information under the FOIA, on the subject of the future of St Ann's Hospital. The Trust did not respond to this correspondence. However, further correspondence was sent to the Trust on 16 May 2013 repeating many of the same questions and requests as the earlier correspondence. The requests for information under the FOIA identified were:

Explain briefly the Trust's current plans for the future of St Ann's, with particular reference to Downhills, Finsbury and Haringey Wards. What is their current situation and usage?

What is being done to improve the performance of the home treatment teams?

Are there plans to boost their numbers and financing?

Will a training programme specifically designed for home treatment team members, and also more stringent qualification requirements, be introduced?

What generally is the role envisaged for the home treatment teams in the Trust's overall development strategy?

How many incidents of involuntary medication were recorded in the logs of the wards in the hospitals operated by the Barnet Enfield and Haringey Mental Health Trust this year.

And in which hospital did most administrations of involuntary medication take place?

5. The Trust responded to this second request on 2 July 2013 providing answers to the above questions and acknowledging the request was responded to outside the 20 working day timescale for compliance.

Scope of the case

6. The Commissioner has considered whether the Trust complied with its obligations under the FOIA when dealing with this request.

Reasons for decision

7. Section 10(1) states 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".
8. During the course of the Commissioner's investigation the Trust provided the complainant with the information requested. As this information was not provided within the statutory time for compliance, the Commissioner considers that the Trust breached section 10(1) in its handling of this request.

Right of appeal

9. 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: 0116 249 4253

Email: informationtribunal@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm

10. 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.
11. 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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Information Commissioner's Office
Wycliffe House
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SK9 5AF