

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

### **Decision notice**

**Date:** 11 November 2022

**Public Authority:** Central and North West London NHS Trust

**Address:** The Gordon Hospital  
Bloombury Street  
London  
SW1V 2RH

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

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1. The complainant requested information from Central and North West London NHS Trust ("the Trust") about spend on chaplaincy services during 2018/19, 2019/20 and 2020/21 and the number of chaplains it currently employs.
2. The Commissioner's decision is that, on the balance of probabilities, the Trust does not hold information within the scope of the request.
3. The Commissioner requires no steps to be taken as a result of this decision.

#### **Request and response**

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4. On 18 October 2021 the complainant wrote to the Trust and requested information in the following terms:

"Dear Sir/Madam,

Can you please provide me with the information requested below.

1. How much did your Trust spend on chaplaincy (or equivalent non-Christian religious/pastoral support) (pay and non-pay) funding in the financial year 2018/19?

2. How much did your Trust spend on chaplaincy (or equivalent non-Christian religious/pastoral support) (pay and non-pay) funding in the financial year 2019/20?
3. How much did your Trust spend on chaplaincy (or equivalent non-Christian religious/pastoral support) (pay and non-pay) funding in the financial year 2020/21?
4. How many chaplains do you currently employ and (if known) of which faith/denomination?"
5. The Trust responded on 4 November 2021 and advised that the information was not collated and to do so would exceed the cost limit (section 12).
6. The complainant expressed dissatisfaction with that response on 4 November 2021.
7. Following an internal review, the Trust wrote to the complainant on 22 November 2021 and upheld its original decision. However, upon receiving notification of the complaint to the ICO, the Trust wrote to the complainant again on 22 February 2022 and advised that it had reviewed its response again and did not hold any recorded information within the scope of the request.

### **Scope of the case**

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8. The complainant contacted the Commissioner on 27 January 2022, to complain about the way their request for information had been handled.
9. The Commissioner has considered whether, on the balance of probabilities, the Trust holds recorded information within scope of the request and whether it has complied with section 1(1) of FOIA.

### **Reasons for decision**

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#### **Section 1 general right of access**

10. Section 1 of FOIA states 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 Commissioner has sought to determine whether, on the balance of probabilities, the Trust holds the requested information.
12. The Trust has stated that, in preparing its submission to the Commissioner, the Information Governance team contacted the teams involved in the original response. The initial response was based on the information from the finance team that indicated that chaplaincy services were not categorised centrally on the general ledger and that gathering the required information would take more than 18 hours.
13. The Trust explained that it revised its original position because its Associate Director of Financial Management confirmed that the Trust does not directly employ any chaplains. The Associate Director of Financial Management was responsible for decommissioning the contracts in a previous role.
14. The Trust explained that chaplaincy service expenses have their own ledger code. It examined the financial reports for the years in question and confirmed that no expenditure was made against that code.
15. Although the Trust had previously had chaplaincy service contracts in Kensington & Chelsea and Westminster boroughs, these were terminated years ago. It added that as invoices associated with chaplaincy contracts were no longer coming through from these boroughs; the budget allowances were released in the financial year 2020-21.
16. As part of their searches, the Information Governance team also contacted the Volunteer Services Manager, who confirmed that no current voluntary contracts for chaplaincy services are in place.
17. On the balance of probabilities the Commissioner is satisfied that the requested information is not held by the Trust, as he has not been provided with any evidence that the Trust would hold further recorded information.
18. The Commissioner is satisfied that the Trust has complied with its obligations under section 1(1)(a) FOIA in this case. He is therefore satisfied that the Trust has complied with the requirements of section 1 of FOIA.

## Right of appeal

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19. 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)

20. 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.
21. 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 .....**

**Michael Lea**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**