

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 31 October 2022

Public Authority: London Ambulance Service NHS Trust
Address: 220 Waterloo Road
London
SE1 8SD

Decision (including any steps ordered)

1. The complainant requested information concerned with a specific report that the London Ambulance Service NHS Trust ("London Ambulance Service") published. By the date of this notice London Ambulance Service had not issued a substantive response to this request.
2. The Commissioner's decision is that London Ambulance Service has breached section 10(1) of FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner requires London Ambulance Service to take the following step to ensure compliance with the legislation.
 - London Ambulance Service must provide a substantive response to the request in accordance with its obligations under FOIA.
4. London Ambulance Service must take this step 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 FOIA and may be dealt with as a contempt of court.

Request and response

5. On 18 August 2022, the complainant wrote to London Ambulance Service and requested information in the following terms:

"On 10 August 2021 in a document entitled "Re: Freedom of Information (FOI) request – Internal Review Reference: FOI 4547."

On page 5 at the section marked "Appendix 1 Maps Cottesloe House NW8" you exhibited two maps entitled "Custom Map with door number layer on top of OS Vector Map Local" on page 7 you exhibited two OS maps titled "2015" and "01/08/2021" respectively.

(1) Please advise who provided the data shown on the maps entitled "Custom Map with door layer on top of OS VectorMap" respectively titled "2015" and "01/08/2021"

(2) Please provide why you exhibited the OS Map titled "01/08/2021" showing the same material errors as the one titled "2015" when OS had corrected those errors in March 2021.

I understand that when personnel encounter issues in locating an address to which a code red response is required there is a process by which a report of "difficulties"

In respect of CAD 4368 on 27 April 2015 please advise:

(a) did any of the attending personnel report difficulties in accessing the required address and, if so, please provide a copy.

(b) what happened as a result of their report.

(c) what is the process involved when such reports are made.

I look forward to hearing from you"

6. London Ambulance Service acknowledged the request on 18 August 2022. To date, a substantive response has not been issued.

Scope of the case

7. The complainant contacted the Commissioner on 21 September 2022 to complain about London Ambulance Service's failure to respond to their request.
8. The Commissioner has considered whether London Ambulance Service has complied with its obligations in relation to the time for compliance at section 10(1) of FOIA.

Reasons for decision

9. Section 1(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.”

10. Section 10(1) of FOIA states that a public authority must respond to a request promptly and “not later than the twentieth working day following the date of receipt”.

11. On 7 October 2022 the Commissioner wrote to London Ambulance Service, reminding it of its responsibilities and asking it to provide a substantive response to the complainant’s request within 10 working days.

12. Despite this intervention London Ambulance Service has failed to respond to the complainant.

13. From the evidence provided to the Commissioner in this case, it is clear that London Ambulance Service did not deal with the request for information in accordance with FOIA. The Commissioner finds that London Ambulance Service has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with FOIA.

Right of appeal

14. 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

15. 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.
16. 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

**Roger Cawthorne
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**