

**Information Governance**

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22<sup>nd</sup> May 2020

**Our reference: FOI DA3239**

We write further to the Information Commissioner's decision of 24<sup>th</sup> April 2020 regarding your request for information on 16<sup>th</sup> July 2019 relating to serious incidents, restraints and seclusion.

The Trust would like to apologise for the handling of your request and for not providing you with appropriate advice and assistance in accordance with its obligations under section 16 of the Freedom of Information Act 2000 to enable you to refine your request for it to fall within the cost limit.

In an effort to be helpful to you we have looked at each of the questions you asked and responded on the attached spreadsheet, clearly showing what can be provided within the eighteen hour time limit permitted under the Freedom of Information Act, where questions could be combined to provide you with information and where a response would take longer than eighteen hours. I hope the spreadsheet is clear, but to provide clarification, Column G sets out the time necessary to deal with each request. Column H gives either an answer to your question or provides clarification on what may or may not be provided.

In summary:

Serious incidents

- We have provided responses to Questions 1, 2, 4, 9, 18, 21
- We are able to provide responses to any combination of Questions 3, 5, 6, 7, 8, 10 and 17 as long as the total time does not exceed 18 hours. Note that where we have already undertaken baseline work this time is taken into account in responding to other questions in this section
- We are not able to provide responses to Questions 11, 12, 13, 14, 15, 16, 19 and 20 as these independently will take over eighteen hours to respond to.

Restraints

- We have provided responses to Questions 1, 2, 4, 9, 18, 21
- We are able to provide responses to any combination of Questions 2, 3, 10, 15, 16 and 17 as long as the total time does not exceed 18 hours. Note that where we have already undertaken baseline work this time is taken into account in responding to other questions in this section
- We are not able to provide responses to Questions 5, 6, 7, 8, 11, 12, 13, 14, 19 and 20 as these independently will take over eighteen hours to respond to.

### Seclusion

- We have provided responses to Questions 1, 2, 4, 8, 9, 18, 21
- We are able to provide responses to any combination of Questions 3, 10, 15, 16 and 17 as long as the total time does not exceed 18 hours. Note that where we have already undertaken baseline work this time is taken into account in responding to other questions in this section
- We are not able to provide responses to Questions 5, 6, 7, 11, 12, 13, 14, 19 and 20 as these independently will take over eighteen hours to respond to

Based on the above and the attached spreadsheet, if you wish to re-submit your request, we will be able to provide answers to questions where in total, it does not exceed the 18 hour cost limit. This means you will need to choose the questions you would like an answer to as the Trust will not be able to provide answers to all questions.

The Trust will be unable to comply with a request that exceeds the cost of compliance and extracting exact requirements if this would exceed the appropriate cost limit of £450 which is specified in Section 12 of the Freedom of Information Act 2000. This is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to 18 hours work.

Please note, the Trust has considered all your questions within your request as one request and it therefore cannot be broken down and re-submitted as several separate requests.

Once again, please accept our apologies for our initial response to your request.

Please do not hesitate to contact me on the contact details above if you have any further queries.

Yours sincerely,

Ayomide Adediran  
Information Governance Coordinator

If you are dissatisfied with the Trust's response to your FOIA request then you should contact us and we will arrange for an internal review of this decision. If you remain dissatisfied with the decision following our response to your complaint, you may write to the Information Commissioner for a decision under Section 50 of the Freedom of Information Act 2000. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113  
Web: [www.ico.org.uk](http://www.ico.org.uk)

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