

**Information Governance**

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22 August 2023

**Our reference: FOI DA4880**

I am responding to your request for information received 4 August 2023. This has been treated as a request under the Freedom of Information Act 2000.

When an organisation receives a request for information under the Freedom of Information Act, it is allowed under the Act to apply a blanket exemption to this where it has concluded that providing a response would take in excess of eighteen hours. When the cost of compliance and extracting information would exceed eighteen hours, a cost limit of £450 can be applied. This is explained in Section 12 of the Freedom of Information Act 2000 and 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 eighteen hours work.

Having reviewed your request, the Trust has noted that it would not be able to provide all the information requested within the eighteen hours specified in the Freedom of Information Act 2000. However, in this instance and in order to assist you, we have provided a partial response to your request as per below.

In order to assist you with your request, I have advised below the timing each question would take to assist you to refine your request. If you wish to refine your request to comply with the eighteen hour time limit, please do get in touch.

I am now enclosing a response which is attached to the end of this letter. Please do not hesitate to contact me on the contact details above if you have any further queries.

Yours sincerely,

Information Rights Coordinator



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**Chief Executive:** Paul Calaminus  
**Chair:** Eileen Taylor

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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**Request:** I am making a freedom of information request for the following:

**Question 1:** The number of requests the Trust has received from a police force to access information about a service user's treatment in each of the following financial years: 2018-19, 2019-20, 2020-21, 2021-22, 2022-23.

**Question 2:** The number of requests the Trust has received from a police force to access information about a service user's treatment where the Trust has refused or declined to provide that information in each of the following financial years: 2018-19, 2019-20, 2020-21, 2021-22, 2022-23.

**Question 3:** If possible, the number of requests the Trust has received from a police force to access information about a service user's treatment where the police have been investigating an alleged sexual offence in each of the following financial years: 2018-19, 2019-20, 2020-21, 2021-22, 2022-23.

**Question 4:** If possible, the number of requests the Trust has received from a police force to access information about a service user's treatment where the police have been investigating an alleged sexual offence where the Trust has refused or declined to provide that information in each of the following financial years: 2018-19, 2019-20, 2020-21, 2021-22, 2022-23

**Answer:** Section 12(1) of the Freedom of Information Act 2000 states:

Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

When the Trust identifies that the request is likely to take over 18 hours, we are not obliged to provide information for any part of the request. We are required to provide advice on how you may refine your request to information that can be collated within the 18-hour timeframe. You may then choose what information you would like to receive and confirm the same to us, upon which we will process your request.

The Trust has reviewed your request for information and in order to collate this information, staff would have to conduct an extensive search of historical data totalling 8103 subject access requests.

As subject access requests are not managed centrally within the Trust, we would need to approach each service directly to obtain this data prior to any scrutiny taking place. Furthermore, the information requested is not routinely recorded by the Trust, necessitating an extensive search.

The search would include establishing if the requester was the Police, whether or not the request was accepted, whether the reason for a request was advised and if so, if it was related to a sexual assault. It is estimated that it would take five minutes per request as this information is not recorded in a searchable format. The Trust has calculated it would take considerably over eighteen hours to review and collate the information. The Trust is therefore unable to provide a response.



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