



**East London**  
**NHS Foundation Trust**  
**Information Governance**  
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4<sup>th</sup> December 2024

**Our reference: FOI DA5649R**

I am responding to your request for a further internal review under the Freedom of Information Act 2000 which was received on 1<sup>st</sup> November 2024. This was regarding our response on 31<sup>st</sup> October 2024. I am sorry for the delay in responding to your request.

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,

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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We promise to work together creatively to: learn  
'what matters' to everyone, achieve a better quality  
of life and continuously improve our services.  
**We care . We respect . We are inclusive**

**Chief Executive Officer:** Lorraine Sunduza  
**Chair:** Eileen Taylor

**Question 1: Can you just clarify for me that you are not able to calculate how many referrals for ADHD were made by the practice?**

**Other practices (you are one of a number of practices selected at random to receive this request) have used read codes to work out how many patients were referred under mental health and then checked each for ADHD.**

**The average number of these referrals for mental health are only around 150 so it's not an insurmountable task.**

**Once each patient is identified a simple tally would require only a couple of minutes on each record.**

**Can you please explain why it is not possible to complete this at your end so that I can pass your response on to the Information Commissioner's Office?**

**Answer:** The Trust has reviewed its previous response and partially upholds its decision not to disclose this information on the basis of Section 1 of the Freedom of Information Act.

Having reviewed the information and the request, a Section 40 exemption should also have been applied in addition to a Section 1 response.

For information from January through to September 2023, such information is not recorded centrally with our Trust as the Medical Centre joined the East London NHS Foundation Trust in October 2023. For more information regarding the time period January through to September 2023, please contact the Bedfordshire, Luton and Milton Keynes Integrated Care Board at [blmkicb.contactus@nhs.net](mailto:blmkicb.contactus@nhs.net), who were responsible for the Medical Centre during this time. As a result, for this period, the Section 1 application by the Trust has been upheld.

In an effort to provide advice and assistance, from October through to December 2023, a total of seven individuals were diagnosed with ADHD at the Kingsway & Bramingham Medical Centre. However, having reviewed the request, the specific number of referrals for ADHD assessments is not held in a searchable format and would therefore require access to individual patient records. There is no legal basis to access patient records for the purposes of responding to a Freedom of Information request.

Section 40 for the FOI Act states:

*(2) This exemption covers the personal data of third parties (anyone other than the requester) where complying with the request would breach any of the principles in the UK GDPR.*

The Trust has therefore applied a Section 40 exemption to this part of the request.



**Original Request DA5649:**

**For reference when the terms adult or adults are used it refers to people over the age of 18. When the terms child or children are used it refers to people under the age of 18. Please do not include any patient specific information. (Kingsway & Bramingham Medical Centre)**

**Question 1: How many of the practice's patients were referred by the practice for an ADHD assessment during 2023?**

**Answer:** The Trust has reviewed question 1 of your request for information under the Freedom of Information Act (FOI) 2000.

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

*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 them.*

East London NHS Foundation Trust does not record the information requested in a searchable format (e.g "referral for ADHD assessment"). The Trust is therefore unable to provide a response.

Please note: The Kingsway GP Practice no longer exists as, since 23 January 2024, it has been integrated into Kingsway and Bramingham Medical Centre, therefore we are unable to respond to separate requests for each practice as the data has been transferred to a new integrated clinical system.



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