



Ref: FOIA Reference 2022/23-090

**Royal Stoke University Hospital**  
**Data, Security and Protection**  
Newcastle Road  
Stoke-on-Trent  
Staffordshire  
ST4 6QG

Date: 3<sup>rd</sup> August 2022

Email [foi@uhnm.nhs.uk](mailto:foi@uhnm.nhs.uk)

Dear

I am writing to acknowledge receipt of your email dated 24th May 2022 (received into our office 25th May) requesting information under the Freedom of Information Act (2000) regarding breast cancer

**The University Hospitals of North Midlands Trust is committed to the Freedom of Information Act 2000.**

**However, the NHS is facing unprecedented challenges relating to the coronavirus (COVID-19) pandemic at the current time. Understandably, our resources have been diverted to support our front-line colleagues who are working tremendously hard to provide care for our patients, and to those in need of our services.**

**We strive to be transparent and to work with an open culture. But at this time, whilst care of our patients and the safety of our staff takes precedent, it is likely that responses to some requests for information will be delayed. We apologise for this position in advance, and will endeavour to provide you with as much information as we can, as soon as we are able.**

**The Information Commissioners Office has recognised the current situation in the NHS.**

As of 1<sup>st</sup> November 2014 University Hospitals of North Midlands NHS Trust (UHM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

**Q1 Please find attached a Freedom of Information (FOI) request regarding breast reconstruction surgery within your Trust.**

A1 I can neither confirm nor deny whether the information you have requested is held by the Trust in its entirety. This is because the information requested in questions 2, 4, 5, 6, 7, 8 and 9 Part A is not held centrally, but may be recorded in individual health records. In order to confirm whether this information is held we would therefore have to individually access all health individual records within the Trust and extract the information where it is present. We therefore estimate that complying with your request is exempt under section 12 of the FOI Act: *cost of compliance is excessive*. The section 12 exemption applies when it is estimated a request will take in excess of 18 hours to complete. We estimate that accessing and reviewing all individual

health records and then extracting relevant information would take longer than the 18 hours allowed for. In addition to the section 12 exemption the Trust is also applying section 14 (1) exemption: *oppressive burden on the authority*

Under section 16 of the FOI Act we are required to provide requestors with advice and assistance where possible. We would therefore like to advise you that if your request is shortened to just the questions that we are able to comply within the 18 hour time frame. In order to avoid delay to your response we have provided this below. See attached document that you supplied

\*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

***UHNM NHS Trust is a public sector body and governed by EU law. FOI requestors should note that any new Trust requirements over the EU threshold will be subject to these regulations and will be advertised for open competition accordingly.***

Where the Trust owns the copyright in information provided, you may re-use the information in line with the conditions set out in the Open Government Licence v3 which is available at <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>. Where information was created by third parties, you should contact them directly for permission to re-use the information.

An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via [www.ico.org.uk](http://www.ico.org.uk).

If following review of the responses I can be of any further assistance please contact my secretary on 01782 671612.



University Hospitals  
of North Midlands  
NHS Trust

Yours,

Jean Lehnert  
**Data, Security & Protection Manager**