



University Hospitals
of North Midlands
NHS Trust

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

Ref: FOIA Reference 2021/22-017

Date: 16th April 2021

Email foi@uhnm.nhs.uk

Dear

I am writing in response to your email dated 9th April 2021 (received into our office 12th April) requesting information under the Freedom of Information Act (2000) regarding cancer operations

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

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 question 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 individual health 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*

As of 1st November 2014 University Hospitals of North Midlands NHS Trust (UHNM) 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 Notice of request for information - Freedom of Information Act 2000

I would be grateful if you would treat this correspondence as a formal request for disclosure of the following information, under the Freedom of Information Act 2000 ("Fol").



Description of information sought:

1. Please state how many cancer operations were cancelled or rescheduled at the hospital Trust between March 23, 2020 and March 2021.

A1 Section 12 exemption as detailed above.

Q2 Please provide the same stats for the hospital Trust between March 2019 and March 2020.

Please send me the information by email. Please provide me with a summary of the information I have requested. I look forward to hearing from you promptly, and at any rate, within the statutory time limit of 20 working days from your receipt of this letter.

Whilst writing, I take this opportunity to remind you of the Information Commissioner's public statements, in which he has stated that there is a "presumption of disclosure" under FoI.

Please note that if this request for FoI disclosure is refused, I reserve the right to take up the matter with the Information Commissioner and/or to pursue all legal avenues of appeal. I trust this will not be necessary.

A2 As answer 1

*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

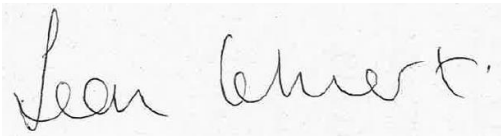
still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

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.

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

Yours,



Jean Lehnert
Data, Security & Protection Manager