



Ref: FOIA Reference 2021/22-108

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

Date: 25<sup>th</sup> May 2021

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

Dear

I am writing to acknowledge receipt of your email dated 18<sup>th</sup> May 2021 requesting information under the Freedom of Information Act (2000) regarding MS.

On 19<sup>th</sup> May 2021 we contacted you via email as we required a timeframe in order to collate the information

On 19<sup>th</sup> May 2021 (received into our office 20<sup>th</sup> May) you replied via email with:  
*'Thank you for your quick response on this. Please could we request records going back for the past five years if possible?'*

*For the second part of the request, if a second opinion was requested it would have been this year or in 2019. I suspect it hasn't been requested at all but would like confirmation.'*

We responded via email advising you that Q2 was not an FOI but a request for personal data might be covered by the Ministries team, in order to assist you we forwarded your request to the Ministries team and advised you that they would be covering this aspect of your request.

***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 1 is not held centrally, but may be recorded in health records. In order to confirm whether this information is held we would therefore have to individually access all 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 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 1<sup>st</sup> 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 Following information not provided during the complaints process, I am seeking to gather further details on the treatment of Multiple Sclerosis patients in your care. Complaint ref: [REDACTED]**

**To assist with this research, I am requesting the following information through the Freedom of Information Act.**

- 1. How many patients are under your care with Multiple Sclerosis?**
  - a. have been diagnosed with a secondary condition (comorbidity).**
  - b. have been diagnosed with a brain tumour of any kind.**
  - c. how many of those patients diagnosed with brain tumours have died as a result of the brain tumour**
  - d. how many of those patients diagnosed with brain tumours received treatment to remove/ attempt to reduce the size of the tumour.**
  - e. have been diagnosed with a terminal illness**

A1 Section 12 exemption as detailed above.

**Q2 Was a second opinion requested for [REDACTED] as a result of the complaints process?**  
**a. What was the response to this request?**

A2 Personal data is not released under the FOI Act, therefore this question is not applicable, and on 20<sup>th</sup> May 2021 we advised you to contact the Ministries team at the following email address:

[Ministries.Office@uhnm.nhs.uk](mailto:Ministries.Office@uhnm.nhs.uk)

\*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.

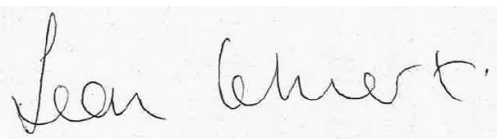
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and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

Yours,



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