



Ref: FOIA Reference 2024/25-565

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

Date: 6th December 2024

Email foi@uhnm.nhs.uk

Dear Sir/ Madam

I am writing to acknowledge receipt of your email dated 18th November 2024 requesting information under the Freedom of Information Act (2000): Gastric emptying Protocol

Q1 I have two queries. The first: Whether your nuclear medicine departments carry out gastric emptying studies as part of their scans.

A1 Yes

Q2 The second: whether it's possible to obtain a copy of the current gastric emptying protocol

A2 Please see the following documents the UHNM follow, however we are unable to release documents 2 and 3 as they are protected by copyright laws and therefore exempt under section 43 of the FOI Act:

Commercially sensitive information relating to some guidelines has not been disclosed here as we consider that under section 43(2) of the FOI Act: *prejudice to the commercial interests of any party*, and *intellectual property rights* is engaged. Disclosure of this information would be in breach of the Copyright Act 1988. We are able under Section 16 of the Freedom of Information Act to provide you with the web links where you may be able access some of this information (section 21 exemption: *available by other means*)

https://journals.lww.com/nuclearmedicinecomm/citation/2023/07000/british_nuclear_medicine_society_clinical.1.aspx

and

https://journals.lww.com/nuclearmedicinecomm/abstract/2020/07000/gastric_emptying_metho_dology_and_normal_ranges.4.aspx

1. Gastric emptying protocol at UHNM – attached
2. BNMS guidelines – exempt see above
3. Research paper establishing normal ranges. - exempt see above

*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.

Yours,



Leah Carlisle
Head of Data, Security & Protection and Health Records
Data Protection Officer