

Date: **16 December 2019**

Our reference: **FOIRQ5568 and FOIRQ5569**

Dear Sir,

Your Requests for Information

Thank you for your requests for information received and recorded under the following FOI reference numbers:

FOIRQ5568

Please release all internal and external correspondence/documentation, including but not limited to emails, letters, memos, minutes of meetings and phone calls etc, relating to the RCPCH's draft report of its "Follow-up Review" into the Gastroenterology Service and the final published version.

FOIRQ5569

*Please release all internal and external correspondence/documentation, including but not limited to emails, letters, memos, minutes of meetings and phone calls etc, relating to the ITV Exposure documentary: "**Great Ormond Street: The Child First and Always?**" before and after it was broadcast on 18th April 2019.*

Our Response

Great Ormond Street Hospital for Children NHS Foundation Trust (the 'Trust') has conducted an assessment of the level of information you have requested for both requests specifically relating to the Gastroenterology service at GOSH. The Trust does not centrally record the information requested and would require a significant amount of work to be carried out between a number of teams and several members of staff conducting local searches of their systems and records.

The Trust has estimated that to process one of your requests alone would place a disproportionate and unjustified amount of work on the Trust. We would need to make initial enquiries with various teams to ascertain what information they possibly hold and the level of searches that would need to be carried out using key words you have provided to help identify, locate and extract any relevant data falling within the scope of the information requested. Your request has been estimated to exceed the 18 hour cost limit stipulated for processing a single request for information under the Section 12 (Cost Limit) of the Freedom of Information Act (FOIA) 2000.

As both of your requests for information are focused on the *RCPCH's draft report of its "Follow-up Review"* and TV documentary "*Great Ormond Street: The Child First and Always?*" relating specifically to the Gastroenterology service, it does not mean the information has been recorded and centrally stored in the same place within the Trust.

We have previously reviewed a similar request for information seeking to obtain the same level of information relating to any discussions, emails, memos and reports, which had been considered to be a broad request for information exceeding the 18 hours cost limit; especially where the FOI applicant had neither specified a time-frame nor where they believed the information would be held, such as naming a department, including any specific dates of documents being requested to help refine the request to see whether it could be processed below the cost limit.

A decision was made that to undertake a multiple of different enquiries and conducting local searches would have prevented the Trust from being able to deliver its mainstream services going way beyond the 18 hours cost limit. The Trust believes that in processing both your requests for information would require the same level of work with a significant impact on the services provided at GOSH. We have carried out a sampling of the work involved via one of the teams where one member of staff has conducted a search of their records based on the information you have requested under FOIRQ5568.

It is difficult to qualify the amount of time for teams and members of staff it would take to complete the search and review exercise; but even then to complete a search of email accounts does not guarantee all, or part, of the information will be identified and located within personal email accounts or other methods where information may be recorded.

The Trust has estimated that to conduct a search of 100 records to identify, locate and extract any relevant information would also require a review of all the information where, potentially, it may need to be cross-referenced with other documentation for verification held within a different record. Therefore, we have estimated a calculation of time to process 1 x individual record containing other communications and attachments would need to be reviewed by more than one team to collate the information taking in excess of 45 minutes. This means to search 100 x records would require approximately 75 hours minimum to locate and extract the information requested. This sampling is applicable to processing each of your requests in excess of the 18 hours cost limit.

Your requests for information are therefore exempt under Section 12 (Cost Limit) of the Freedom of Information Act (FOIA) 2000.

Section 12(1) of the FOIA allows the Trust to refuse a request where the cost of compliance is estimated to exceed the appropriate limit. The appropriate limit for Section 12 purposes is defined by The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulation 2004 - SI 2004 No. 3244 ('Fees Regulation').

Under regulation 3 of the Fees Regulation the appropriate cost limit for the Trust is £450. The Fees Regulation also states that all authorities should calculate the time spent on the permitted activities at the flat rate of £25 per person, per hour. This means that the appropriate limit will be exceeded, if it would require more than 18 hours' work for the Trust to carry out the following activities in complying with the request:

- determining whether the information is held
- locating the information, or a document containing it;
- retrieving the information, or a document containing it; and
- extracting the information from a document containing it.

Please note:

The information we have provided under the Freedom of Information Act 2000 is the information held on the date your request was received by the Trust.

We hope the information provided is sufficient and helpful in answering your questions or any issues or concerns. Should you have any further queries in relation to this request, please do not hesitate to contact the FOI Team and quote the above reference number on any related correspondence.

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Yours sincerely

Freedom of Information team

Great Ormond Street Hospital for Children NHS Foundation Trust

Email: foiteam@gosh.nhs.uk

[Enclosed – Your rights – see next page]

Your Rights

Should you have any questions relating to the response you have received to your request for information, please do not hesitate to contact the FOI Team. Alternatively, you are entitled to make a request for an internal review within two months from the date of receiving our final response to your original request. You can also write to the Head of Quality & Safety at the following address:

Quality & Safety team
Great Ormond Street Hospital
LONDON
WC1N 3JH

If, however, you remain dissatisfied with the outcome of the internal review then you have the right to appeal to the Information Commissioner as the final stage of the FOI process. You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113
Fax: 01625 524510