

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 26 March 2012

Public Authority: Royal Cornwall Hospitals NHS Trust

Address: Bedruthan House
Royal Cornwall Hospital
Truro
TR1 3LJ

Decision (including any steps ordered)

1. The complainant requested a copy of the Employment Tribunal's judgment involving the former Chief Executive of the Royal Cornwall Hospitals NHS Trust (the Trust). The Commissioner's decision is that the Trust did not deal with the request for information in accordance with the FOIA as it failed to provide a response to the request within the statutory time frame of 20 working days. As a response has now been provided, the Commissioner requires no steps to be taken.

Request and response

2. On 19 September 2011, the complainant wrote to the Trust and requested a copy of the judgment of the Employment Tribunal involving the former Chief Executive of the Trust. He provided the date of the tribunal and the appeal reference number.
3. The Trust responded on 2 December 2011.

Scope of the case

4. The complainant contacted the Commissioner to complain about the Trust's failure to respond to his request for information.

Reasons for decision

5. Section 10(1) of the FOIA states that a public authority in receipt of a request for information has a duty to respond within 20 working days.
6. From the information provided to the Commissioner in this case it is evident that the Trust did not respond to the complainant within the statutory time frame.

Right of appeal

7. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0116 249 4253

Email: informationtribunal@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm

8. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
9. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Rachael Cragg
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