

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 7 July 2023

**Public Authority:** NHS England  
**Address:** Quarry House  
Leeds  
LS2 7UE

#### Decision (including any steps ordered)

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1. The complainant requested information from NHS England about falls data for Northampton General Hospital relating to the National Audit of Inpatient Falls.
2. The Commissioner's decision is that NHS England breached section 10(1) of FOIA by failing to provide a valid response to the request within the statutory time frame of 20 working days. No steps are required.

#### Request and response

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3. On 13 February 2023, the complainant made the following request for information:

"Could you tell me if Northampton General Hospital takes part in your falls NAIF.

And if so could I have the data they share with you - and the benchmarking report you send back.

I have asked Northampton General Hospital directly but they say they have no falls data, which I find somewhat odd.

If I need to ask my question via FOIA then this is my FOIA request."

4. NHS England responded to the request for information on 15 June 2023.

## Reasons for decision

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5. Section 1(1) of FOIA states that:

“Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him.”

6. Section 10(1) of FOIA states that a public authority must respond to a request promptly and “not later than the twentieth working day following the date of receipt”.

7. From the evidence provided to the Commissioner in this case, it is clear that NHS England did not deal with the request for information in accordance with FOIA. The Commissioner finds that NHS England has breached section 10(1) by failing to respond to the request within 20 working days.

## Right of appeal

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8. 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: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

9. 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.
10. 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 .....**

**Michael Lea**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**