

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 18 October 2017

Public Authority: Hywel Dda University Health Board
Address: Corporate Offices
Ystwyth Building
Hafan Derwen
St. David's Park
Job's Well Road
Camarthen
Camarthenshire
SA31 3BB

Decision (including any steps ordered)

1. The complainant has requested from Hywel Dda University Health Board (HDUHB) information regarding the effects of the Meningitis ACWY one off catch-up vaccination programme on individuals of a certain age.
2. The Commissioner's decision is that the HDUHB has breached section 10(1) of FOIA in the handling of this request.
3. The Commissioner does not require the public authority to take any steps.

Request and response

4. On 23 August 2017 the complainant wrote to the HDUHB, through the WhatDoTheyKnow web-based platform¹ and requested information in the following terms:

¹ https://www.whatdotheyknow.com/request/meningitis_acwy_vaccination_catc

"I'm looking for data to measure the success of the Meningitis ACWY one off catch-up vaccination programme, as applicable for individuals born between 1st September 1996 and 31st August 1999.

[...]

For each of the seventy two GP Surgeries within the Hywel Dda University Health Board area, please can you provide the following information:

- 1) How many patients born between 1st September 1996 and 31st August 1999 are registered at the surgery?*
- 2) Of those registered (DOB 1996-09-01 to 1999-08-31) after checking vaccination records, how many required the MenACWY vaccine (ie had not already been vaccinated)?*
- 3) Of those registered (DOB 1996-09-01 to 1999-08-31) and requiring vaccination, how many have been written to[1]?*
- 4) Of those invited (DOB 1996-09-01 to 1999-08-31), how many have received the MenACWY vaccine?"*
5. The HDUHB acknowledged the request on 25 August 2017.
6. Since the complainant did not receive a response to the information request, he decided to chase his request by writing another submission to the WhatDotheyKnow platform on 22 September 2017.
7. On the same date the HDUHB replied to the complainant apologising for the delay and stating that the complainant should receive a response by the end of the day. However, the complainant did not receive the promised response.
8. Finally on 29 September 2017, the HDUHB responded to the complainant providing the requested information.

Scope of the case

9. The complainant contacted the Commissioner on 22 September 2017 to complain about the way his request for information has been handled.
10. The Commissioner has considered whether the HDUHB dealt with this request in accordance with its obligations under section 10(1) FOIA.

Reasons for decision

11. Section 10(1) of FOIA states that:

"Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."

12. Section 1(1) provides 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."

13. The request was made on 23 August 2017 and the response was not provided until 29 September 2017. The Commissioner therefore finds that the HDUHB breached section 10(1) in failing to respond within 20 working days.

Right of appeal

14. 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: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

15. 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.
16. 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

Alun Johnson
Team Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF