

Date: Tuesday, 03rd January 2023
Our Ref: MB/CM FOI 5477

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Re: Freedom of Information Request FOI 5477

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 08th December 2022.

Your request was as follows:

This request is in regard to acute trust data, and we would like data from the last 5 years from today, the 8/12/22.

We want to request the data for hospital trust wide major incidents and critical incidents at the hospital level, the reason for the incident, the level of response to the incident, and the date it was declared and then withdrawn.

We would also like to request the OPEL level at the hospital level for the last 5 years including the level, duration of level (start and end date) and the reason for the level.

Could the format be electronic and in a spreadsheet.

I can confirm in accordance with Section 1 of the Freedom of Information Act 2000 (FOIA) that we do not hold the information you have requested as the Walton Centre NHS Foundation Trust have not declared any major or critical incidents over the last five years and do not measure the OPEL level due to not having an A & E department. Therefore we cannot provide this information.

Under the FOIA, we are not required to create this information in order to answer your request. I should explain that the FOIA is to do with transparency of information held by public authorities. It gives an individual the right to access recorded information held by public authorities. The FOIA does not require public authorities to generate information, or to answer questions, provide explanations or give opinions, unless this is recorded information that they already hold.

Please see our response above in [blue](#).

Re-Use of Public Sector Information

All information supplied by the Trust in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No. 1515 which came into effect on 1st July 2005.

Under the terms of the Regulations, the Trust will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however the Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Further information can be found at www.opsi.gov.uk where a sample license terms and fees can be found with guidance on copyright and publishing notes and a Guide to Best Practice and regulated advice and case studies, at www.opsi.gov.uk/advice/psi-regulations/index.htm

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Freedom of Information Office at the address above.

Please remember to quote the reference number, FOI 5477 in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Mike Burns

Mr. Mike Burns, Executive Lead for Freedom of Information