

Date: Monday, 08th April 2024
Our Ref: MB/CM FOI 6259

Sid Watkins Building
Lower Lane
Fazakerley
Liverpool L9 7BB
Tel: 01515253611
Fax: 01515295500
Direct Line: 01515563038

Re: Freedom of Information Request FOI 6259

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 05th April 2024.

Your request was as follows:

I am writing to request the following under the Freedom of Information Act:

The number of patients waiting longer than 65 weeks for elective treatment at your trust as of 1st April 2024.

I confirm that The Walton Centre NHS Foundation Trust holds the information you have requested. However, I am unable to provide you with that information as I consider that the following exemptions apply to it:

Section 22 - Information is intended for future publication:

The information you have requested is exempt from disclosure under Section 22(1) of the Freedom of Information Act (FOIA). There is a clear intention to publish the information at a future date and in line with section 22(1)(c) it is considered reasonable in all the circumstances that the information should be withheld from disclosure until the date of publication.

As stated above, the information you have requested will be published onto The NHS England Website once the final figures have been validated. Please use the following link:

Statistics >> Consultant-led Referral to Treatment Waiting Times Data 2023-24 ([england.nhs.uk](https://www.england.nhs.uk/statistics))

As a result, we believe that the information is intended for future publication and will be made accessible to you.

Public Interest Test

To use this exception, we are required to undertake a public interest test. The matters which were considered in applying the public interest test are as follows:

Factors in favour of disclosure:

- Disclosure of the information supports the public interest in the transparency, accountability and general understanding of the delivery of public services.

Factors in favour of withholding:

- Disclosure of invalidated information can lead to false conclusions and reputational damage.

This response therefore acts as a refusal notice under section 17 of the FoIA.

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 6259 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 by:

Post: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Online: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/>

Telephone: 0303 123 1113

Yours sincerely

Mike Burns

Mr. Mike Burns, Executive Lead for Freedom of Information