



Department of Health & Social Care

Freedom of Information Team
Department of Health and Social Care
39 Victoria Street
London
SW1H 0EU

www.gov.uk/dhsc

Ms Susanne Stevens
request-439847-89f25423@whatdotheyknow.com

21 March 2018

Annex A: DHSC response to initial request dated 19 December 2017
Annex B: Request for internal review dated 19 December 2017
Annex C: FOI request dated 20 October 2017

Dear Ms Stevens

FREEDOM OF INFORMATION ACT (FOIA): INTERNAL REVIEW CASE REFERENCE IR 1107738

You originally wrote to the Department of Health and Social Care (DHSC) on 20 October 2017 requesting information relating to the anti-depressants used in prisons and high security hospitals.

We responded to you on 19 December (Ref FOI 1107738) explaining that DHSC does not hold this information. A copy of our response, including the full text of your request is at Annex A.

You subsequently emailed DHSC on 19 December 2017, which we have taken as a request for an internal review into the handling of your original request. A copy of your email is at Annex B.

The purpose of an internal review is to assess how your FOI request was handled in the first instance and to determine whether the original decision given to you was correct. This is an independent review as I was not involved in the original decision.

I would like to apologise sincerely for the length of time it has taken to provide you with this response, which I recognise has fallen short of expectations.

I can also confirm that DHSC received your FOI request of 20 October 2017 (see Annex C). However, your request was not logged onto the FOI database until 21 November 2017 due to an administrative error and I would like to apologise for the delay this caused in the Department's response.

Upon receiving your request the FOI team contacted the relevant DHSC policy officials, who advised that DHSC does not hold this information. No searches were carried out in relation to your request as the policy officials leading in this area knew that the information was not held.

The reason that DHSC does not hold this information is that it does not relate to matters for which DHSC is responsible and we therefore have no business need to do so.

The FOIA only covers recorded information that public authorities, in this case DHSC, hold. DHSC is not required to create information. As we do not have the information you asked for, we complied with your request by telling you this in writing.

However, in our reply of 19 December 2017 we should have advised you to redirect your request to NHS England as it may hold the information you have asked for. I am sorry for this oversight in the Department's initial handling of your request.

NHS England Health and Justice is responsible for commissioning healthcare for adults across secure and detained settings, which includes prisons.

Further information is available at:
<https://www.england.nhs.uk/commissioning/health-just/>

NHS England's FOI contact details are available at:
<https://www.england.nhs.uk/contact-us/foi/>

Conclusion

After careful consideration I have concluded that the response you received to your FOI request is partially compliant with the requirements of the FOIA as we did not reply to your original request within 20 working days.

However, I am satisfied that the response you received on 19 December 2017 was correct.

I hope that you find the additional information provided in this reply helpful.

The review is now complete.

If you are not content with the outcome of this review, you may apply directly to the Information Commissioner (ICO) for a decision. The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/concerns/>

Yours sincerely

James Shewbridge
Casework Manager
FreedomofInformation@dh.gsi.gov.uk

Annex A

19 December 2017

Dear Ms Stevens

Freedom of Information Request Reference FOI-1107738

Thank you for your request dated 21 November in which you asked the Department of Health (DH):

“Dear Department of Health,

I have sent a FOI request re What anti depressants are used in prisons and high security hospitals.

I have not received any response from you as required by law. Not even an acknowledgement of the request made weeks ago . I would ask that you do reply promptly now to this one

thank you

I did receive the answer to another related reque

*Yours faithfully,
susanne stevens”*

Your request has been handled under the Freedom of Information Act (FOIA).

The DH does not hold the information you requested.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the address at the top of this letter, or the email address at the end of this letter.

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner (ICO) who may decide to investigate your concerns.

Generally, the ICO cannot make a decision unless you have already appealed our original response, and received our internal review response. The ICO will not usually investigate concerns where there has been an undue delay in bringing it to their attention. You should raise your concerns with them within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane

Wilmslow
Cheshire
SK9 5AF
<https://ico.org.uk/concerns/>

Yours sincerely,

Edward Franklyn
Freedom of Information Officer
FreedomOfInformation@dh.gsi.gov.uk

Annex B

-----Original Message-----

From: susanne stevens [<mailto:request-439847-89f25423@whatdotheyknow.com>]

Sent: 19 December 2017 19:39

To: FreedomofInformation

Subject: Re: Freedom of Information request - Can you please let me know which medications are used as depot injections in prisons and hospitals

Dear Department of Health,

I sent another e mail today and received a quick response today. Please let me know why it has taken so long - much outside the legal requirement for a response to be given for a FOI As you state you do not hold the information - please let me know which organisation does hold the information requested as it would be surprising if the DoH does not know which drugs are used .

Yours faithfully,

susanne stevens

Annex C

-----Original Message-----

From: susanne stevens [<mailto:request-439847-89f25423@whatdotheyknow.com>]

Sent: 20 October 2017 12:59

To: FreedomofInformation

Subject: Freedom of Information request - Can you please let me know which medications are used as depot injections in prisons and hospitals

Dear Department of Health,

Can you please let me know by any name they are used - which drugs are used as depot injections in hospitals and prisons

Can you please let me know by any name they are used by - which antidepressants are used

thankyou

Yours faithfully,

susanne stevens