

Mr Geoff McLaughlin

Your ref: IR-101004084972

My ref:

Date: 15/11/18

By Email

request-521396-11d39dac@whatdotheyknow.com

Dear Mr McLaughlin,

Your request for an Internal Review under the Freedom of Information Act 2000.

Thank you for your email dated 22/10/2018. We are sorry to hear that you are unhappy with the response to your recent request for information under the Freedom of Information Act 2000.

It is my understanding is that you feel our response did not provide you with the information you requested.

How I reached my view

In reviewing this case, the information that I have reviewed and considered includes;

- The original request for information
- The original response
- The procedures used to provide the response

My final view

I have reviewed the case as an independent reviewer and my conclusion is that I have not upheld your complaint. I am satisfied that our response to your request has been answered. However, I acknowledge in your request for this internal review that you have asked some additional questions. These have been logged as a new request for information with the reference number FOI-101004150079. We have liaised with the relevant department to provide answers to these as follows:

1. *"So to save time would you please ask your NHS Trust Partner what the minimum qualifications of a Health Authority Representative on a Council Welfare Panel was in 2012, and what it is now in 2018".*

Cornwall Council does not hold this information and therefore an FOI request will need to be made to the relevant NHS trusts.

2. *"I have suggested on social media that because there is no minimum qualifications for a Health Authority Representative to sit on a Council run Welfare Panel that an NHS Trust cleaner or similar is therefore qualified to do the job. If you disagree please explain why a cleaner or similar cannot do the job."*

The Freedom of Information regime only requires that we provide a requestor with recorded information. Your point 2 is asking for an opinion which is not held.

3. *"With further regard to the 3 Welfare Priority Assessment Panels mentioned earlier that assessed my late wife's application none had a Health Authority Representative and Council Policy set by Members of the Council were broken like there was no tomorrow by Cornwall Housing Manager Jon Warner despite it also being his job to implement Council Policy. I would appreciate your clarification."*

The Freedom of Information regime only requires that we provide a requestor with recorded information. Your point 3 is asking for an opinion which is not held information. If you have concerns about the way that policy was implemented I understand that this matter has been considered by the Local Government and Social Care Ombudsman and you should seek your own legal advice.

If this does not resolve the matter to your satisfaction, you have the right to apply directly to the Information Commissioner, the contact details of whom are:

FOI/EIR Complaints Resolution
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Email: casework@ico.gsi.gov.uk

Yours sincerely,

David Coulthard
Development Officer Specialist
Planning & Sustainable Development
Cornwall Council

Cornwall Council ("the Council") will use reasonable endeavours to ensure that the information provided in response to your request is complete, subject to any information that may be withheld in accordance with the Act. However, the

Council accepts no responsibility for any loss or damage incurred as a result of you acting on or refraining to act on information or other material disclosed to you in accordance with your request.