



Department
of Health

Freedom of Information Team
Department of Health
G18, Richmond House
79 Whitehall
London SW1A 2NS

www.gov.uk

Akib

email address: request-428151-d4d62b8f@whatdotheyknow.com

14 September 2017

Dear Akib

Freedom of Information Request Reference FOI 1096491

Thank you for your request dated 31 August 2017 in which you asked the Department of Health (DH):

"Freedom of Information request - FOI - Advocacy Services

Do you have any information regarding the commissioning of advocacy services by the NHS and/or local authorities.

There are many different types of advocacy provided. Would you be able to clarify who's responsibility and under what legislation/guidance it is, to provide the following advocacy services:

- NHS Complaints (Post 2012 it is no longer DH but local authorities commissioning duty),*
- Adult Social Services Complaints,*
- Independent Mental Health Advocacy (i.e. is it the mental health hospital's duty or the local authority in which it resides),*
- Independent Mental Capacity Advocacy and*
- Adult Social Services (Care Act Advocacy)."*

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

Please note, under section 8(1) of the FOIA, a request for information must comply with three requirements. It must:

- (a) be in writing,
- (b) state the name of the applicant and an address for correspondence, and
- (c) describe the information requested.

After initial consideration, this request appears to comply with requirements (a) and (c) but it does not comply with requirement (b) because you have not provided your full name. As your request is not valid under FOIA, I am not obliged to process your request. I would like to take this opportunity to recommend that any future FOI submissions adhere to Section 8 of the FOIA.

To enable us to meet your request, please resubmit your application including your real name. This should normally include your first name or a title (e.g. Mr, Ms or Dr) as well as your surname.

We will consider your resubmitted request upon receipt as long as it meets the requirements stated above. You will then receive a response from us within the statutory timescale of 20 working days. Please be aware that we cannot guarantee at this stage that a clarified request will fall within the FOIA cost limit, or that other exemptions will not apply.

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,

Dorothy Crowe

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