

## **Freedom of Information Act – Request for Internal Review - Free Patient Wi-Fi**

Internal review specifics:

I am writing to request an internal review of Cardiff and Vale University Local Health Board's handling of my FOI request 'Free Patient Wi-Fi'.

### **Issue 1**

I requested contact details of someone to discuss technical issues associated with Wi-Fi within the hospital. Despite repeated attempts to open discussions, the contact provided has not responded.

### **Issue 2**

I asked for details of any records existing about the work done on dealing with my request since it began late last year. No information or response has been provided.

### **Issue 3**

I asked for records showing the background to the ban on the use of mobile devices. No response has been made.

### **Cardiff and Vale UHB Response:**

I am writing in response to your e-mail of 11<sup>th</sup> March 2012 requesting an internal review of the handling of your Freedom of Information Act request to Cardiff and Vale UHB.

I would like to confirm that I have initiated a full review into the handling of your requests to this Health Board and I am now in a position to respond. For clarity and ease of access I will detail each communication as separate entities in chronological order, provide my findings, and then summarise my final conclusions.

#### **a) Original request Friday 14 October 2011 at 11:50.**

During a recent visit to the A5 North ward in the Heath Hospital, I became involved in a discussion about free patient Wi-Fi. I am told that, as a result the staff checked with the Board's IT staff and they were told that it was not feasible for 'security' reasons. I understand that there are a number of examples where this obstacle has been overcome and free patient Wi-Fi has been provided, including hospitals within the UK. One such being Pinderfields Hospital in Wakefield, part of the Mid Yorkshire Hospitals NHS Trust.

Can you let me know:

1. Whether any formal assessments have been made about the technical feasibility of free patient Wi-Fi, including any review of similar operations in other hospitals?

2. If so, what were the findings?
3. Who would be a contact to take this discussion further?

**My findings:**

Your request was acknowledged Wednesday 19 October 2011 at 09:25 with a full response being issued Monday 24 October 2011 at 16:55 which detailed

- no formal assessments have been undertaken
- this therefore rendered your second question invalid,
- the relevant staff contact information of the Technical Development, Network and Support Manager for any discussions you wished to take place.

**b) Second communication 27 October 2011 at 16:38**

Providing named details of the Technical Development, Network & Support Manager and seeking their e-mail address.

**My findings:**

A response was issued to you Friday 04 November 2011 at 13:51 providing the relevant contact information.

**c) Third and fourth communication  
06 November 2011 at 13:32**

"I would like to ask your advice on how best I can contribute to taking the discussion further. How would I find out in detail what the Health Board specialists consider to be the technical issues and which of these are likely to be judged as insurmountable? Which part of the Board would receive any recommendations, how would any decision be made and by who?"

Any advice, guidance or other assistance you are able to offer will be gratefully received"

**05 December 2011 at 12:50** – Advised no response received to your e-mail of 6 November and sought confirmation that communication details were correct and you also had the responsible individual to continue discussion about Wi-Fi in ward areas.

**My findings:**

On investigating I have established you used an incorrect e-mail address in your communication of 6 November 2011 and therefore this was not received in the Health Board. I can confirm your e-mail dated 5 December 2011 was received and it also included the 6/11/11 message. It has therefore been presumed you forwarded this on for an audit trail. However please note you used an incorrect e-mail address within the circulation list of the e-mail dated 5/12/11 it was not received by Ann Morgan the Corporate Governance – Senior Information and Communication Manager in Cardiff and Vale UHB as you intended, it was unfortunately addressed to Ann Morgan in Hywel Dda Heath Board.

At this time the Technical Development, Network and Support Manager sought advice from Ann Morgan, the Corporate Governance – Senior Information and Communication Manager, as the responsible individual for the Freedom of Information Act, and following this a further response was issued to you on Wednesday 7 December 2011 at 11:34. This

- confirmed that the address originally notified to you was correct
- confirmed the relevant recipient did not receive a communication from you prior to 5 December 2011
- confirmed that all previous information provided to you was sufficient for your purposes in communicating with Cardiff and Vale UHB in relation to Wi-Fi provision.

**d) Fifth communication Monday 16 January 2012 at 13:38** - Addressed directly to the Technical Development, Network and Support Manager detailing the information below, it also contained a read receipt trail for your message of 5 December 2011.

“I hope you’ll appreciate it’s been a while since I received confirmation of the receipt of my email, which in itself was the result of an earlier FOI request. Are you now in a position to give me some feedback on the technical feasibility of providing Wi-Fi facilities for patients in Ward A5 North?”

**My findings:**

The relevant response was issued to you on Wednesday 7 December 2011 at 11:34 by the Corporate Governance – Senior Information and Communication Manager as detailed previously in my findings at (c).

**e) Sixth communication 4 February 2012 at 13:34**

You have already reported that nothing had been done prior to my first enquiry on 14th October.

1. Can you let me know what records exist of any action having been taken since?
2. Can you offer any advice or assistance on how best to proceed?
3. In the meantime, can you tell me when the ban on the use of mobile phones was first introduced, who made the decision and on what grounds?

**My findings:**

I have established that unfortunately no response was issued to this e-mail and I would like apologise for this oversight. I have been advised that discussion took place between the relevant staff on the best way to progress this matter however there seems to have been some confusion on responsibilities for responding.

I would now like to respond and confirm the following:

Question 1 - There has not been any action taken in relation to this since October 2011 and therefore there are no records in existence. To re-iterate previous

information the original reason provided to you for the lack of this provision was for security reasons and not a feasibility/viability issue.

Question 2 - I am unsure what you require advice and assistance on. Cardiff and Vale UHB does not have any immediate plans for providing a Wi-Fi service for patients. There is information available within the Cardiff and Vale UHB web site which provides details of the proposed IM&T Strategy and work plan, I have attached a link [here](#) to the latest draft plan for your information. Please be aware this plan has not as yet received formal approval.

Question 3 – Cardiff and Vale UHB has always adhered to the recommendations of the Health Safety Executive in relation to the use of mobile phones and Wi-Fi in clinical areas. Work has commenced reviewing the arrangements within this organisation to develop an appropriate policy to cover this issue. As soon as this policy has been agreed and formally approved it will be published on the Cardiff and Vale UHB web site.

**f) Seventh Communication Sunday 11 March 2012 at 15:29 – requesting a review.**

**Review initiated 12 March 2012**

**Review conclusions:**

In respect of the request you originally submitted under the Freedom of Information Act, Cardiff and Vale UHB considers it has fully satisfied the requirements of the legislation within the communications and responses provided. To provide some explanation for this decision I have detailed relevant specific requirements of the Act, and responsibilities placed on authorities, as provided within the Information Commissioners web site.

The Freedom of Information Act gives individuals the right to access official information held by public authorities. You can ask for any information you think may be held. The right **only covers recorded information** which includes information held on computers, in emails and in printed or handwritten documents as well as images, video and audio recordings.

Requests can be in the form of a question, rather than a request for specific documents, but an authority does not have to answer if this would mean creating new information or **giving an opinion or judgement that is not already recorded**. Some information may not be given to you because it is exempt, for example because it would unfairly reveal personal details about somebody else.

Cardiff and Vale UHB fully responded to your original request in October 2011, with the recorded information it held. The further communications you have initiated with the UHB have not been Fol requests, rather general enquiries and requests to discuss specific issues with different staff working within the

organisation. I would like to reiterate, the initiation of discussions is not within the confines of the legislation and under the Act an authority is not obliged or required to give an opinion or judgement that is not already recorded.

I would now like to address the issues you have raised in your request for review and provide a summary.

- There have not been any formal assessments or technical feasibilities completed – therefore no information exists recorded or otherwise, this satisfies the requirements of the Act
- The relevant contact information you were seeking was initially provided and subsequently confirmed, this satisfies the requirements of the Act.
- Initiating discussions is not within the confines of the legislation therefore it is not appropriate for review.

I have noted there has been a regrettable lack of engagement with you on this matter and I would like to offer an apology for this, however as detailed above under the Act an authority will not **give an opinion or judgement that is not already recorded.**

In response to your second and third issues I trust the further information provided in my findings in Section (e) are now sufficient for your purposes.

