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University Hospitals Plymouth NHS Trust
Information Governance Team
Bircham House
William Prance Road
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Plymouth
PL6 5WR

27th March 2019

www.plymouthhospitals.nhs.uk

Our ref: 18FOI527

Your ref: Request for Internal Review received 14th March 2019

Your email address: request-542693-d6278ab7@whatdotheyknow.com

Dear JJ Evans,

I have carried out an internal review of our response to your Freedom of Information (FOI) Act request 18FOI527.

You requested correspondence between the Blood Inquiry and University Hospitals Plymouth NHS Trust.

The Trust is restricted in providing you with the information you seek, namely information which has been received from, or transferred to, the Officers of 'The Infected Blood Inquiry', by virtue of the provisions of Section 32(1)(a) and (b) and section 32(1)(c) of the Freedom of Information Act (FOI) 2000.

I have reviewed your concern that the Blood Inquiry is not a trial and therefore exemption 32 cannot be used. However, it is a Statutory Public Inquiry and as such I do not think that the FOI Act is the correct way to make these documents public. It would seem more appropriate for the Inquiry's own procedures to be used for disclosing documents in due course. I therefore uphold the Trust's use of exemption 32.

I note that the Trust failed to respond to your request within 20 working days and that an update and apology was sent on 20th February 19. We apologised again when the final response was sent. I therefore acknowledge that the Trust failed to comply with Section 10 of the FOI Act.

If you remain dissatisfied with the outcome of the internal review, then you have the right to appeal again to the Information Commissioner at:

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

<https://ico.org.uk/make-a-complaint/>

Tel: 0303 123 1113

Yours sincerely

Penny Taylor (sent by email)

Head of Information Governance
Plymouth Hospitals NHS Trust