



Department
of Health

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

www.gov.uk

Matthew 5

request-428231-7a1ae473@whatdotheyknow.com

6 November 2017

Dear Matthew

Freedom of Information Request Reference FOI-1101300

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

"Dear Department of Health,

Thanks for your response.

I presented a couple of queries. Your response of September addresses both collectively adding, thatmy queries do not fall under the provision of the Act.... You go on to explain what should happen:the Department of Health expects that all people seeking care should receive the highest standard of treatment and without prejudice.... and also that, complaints should be made to the NHS organisation concerned. Thank you.

My first query read: Has the government compiled a set of guidelines to assist ethnic minorities subject to racism within the health services?

Further to your response, I wish to add the following: it is very often the case the problem is widespread; that's to say, not necessarily something resolvable locally. Ultimately the complainant is expected to exhaust local complaints procedures before escalating the matter outside local jurisdiction. At this time of course, the complainant may have already prejudiced themselves. That the Department recognises such things, would it kindly identify title/s of any policy (or other) document/s? That it holds no provision, would you kindly confirm.

My second query reads: Does the government condone the practice of 'herding patients' between health practices according to colour or social standing?

After reading again my query again, I reword it so: Does the government recognise the practice of 'herding patients' between health practices according to colour or, social standing? That the Department recognises such things, would it kindly identify the title/s of any policy document? Otherwise, would you kindly confirm.

With respect, my FOI query is not one about identifying prescribed routes of complaint or the complaints process. This is an FOI query and under section 16 of the Act you are '....obliged to provide advice and assistance....' "

Please note, under section 8(1) of 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) describes 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. Miss 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,

Edward Franklyn

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