

Dear Harper,

Reference: FOI.22.SWL093

12 September 2022

Re: Freedom of Information request

Thank you for your request under the *Freedom of Information Act 2000* (the Act). This response is provided by NHS South West London Integrated Care Board (ICB).

Your request, along with the ICB's response is detailed below.

1. Please could you tell me whether you implement a 'same-sex' personal care policy for your social care service users? Or if you have moved to a 'gender based' policy?

The ICB does not hold this information. You may wish to redirect your request to Local Authorities, who may hold this information.

Contact details for the Local Authorities in South West London can be found below:

- Croydon - <https://www.croydon.gov.uk/democracy/open-data/foiact/make-an-information-request>
- Kingston - <https://www.kingston.gov.uk/council-democracy/freedom-information-requests/1>
- Merton - <https://www.merton.gov.uk/council-and-local-democracy/data-protection-and-freedom-of-information/freedom-of-information>
- Richmond - https://www.richmond.gov.uk/council/open_richmond/information_about_the_council/freedom_of_information/make_an_foi_request
- Sutton - https://www.sutton.gov.uk/info/200436/customer_services/753/freedom_of_information_requests

- Wandsworth - <https://www.wandsworth.gov.uk/the-council/open-data-and-transparency/accessing-information/accessing-council-information-freedom-of-information-request/>

2. Does this policy apply to social care users who receive CHC funding provided by you, as well as those who receive council funded social care?

3. Please provide proof of your policy.

Questions 2 – 3

Not applicable.

4. Do you instruct all care agencies in the area to comply with your policy or are each able to implement their own policy?

For CHC-funded service users, it is down to the care agency to decide who the individual nurse/carer will be.

Review procedure

If you feel that we have not met the requirements of the Freedom of Information Act 2000, you should contact the IG and FOI Team at: swl.igandfoiteam@swlondon.nhs.uk.

If you remain dissatisfied, you can ask us to review our decision by making a written request for an internal review. In order to assist with the review, you should include your address, a description of the original request and the reasons why you are dissatisfied. Please send this to:

Email

Swl.igandfoiteam@swlondon.nhs.uk

Postal address

NHS South West London ICB
120 The Broadway
Wimbledon
SW19 1RH

Website

www.southwestlondon.icb.nhs.uk

The review will be handled by more senior staff who were not involved in the original decision. Although this will not apply to Section 36 claimed exemptions in accordance with Department of Health Directive, your request will still be reviewed. We aim to complete all internal reviews within 20 working days. If you then wish to appeal you should contact the Information Commissioner for an independent review at the following address:

Telephone

0303 123 1113

Postal address

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Website address

www.ico.gov.uk

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To make an application for re-use you must:

- Make a request in writing to the address below,
- State the name of the applicant and an address for correspondence,
- Specify the document to be re-used,
- State the purpose for which the document is to be re-used

Email

Swl.igandfoiteam@swlondon.nhs.uk

Postal address

NHS South West London ICB
120 The Broadway
Wimbledon
SW19 1RH

Website

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For information where the copyright is owned by another person or organisation, you must apply to the copyright owner to obtain their permission to re-use. Further guidance for re-users can be found at: <http://nationalarchives.gov.uk/documents/information-management/ogl-user-guidance.pdf>

NHS South West London ICB complies with the *Re-use of Public Sector Information Regulations 2015* and we encourage the re-use of the information that we produce, hold and disseminate. We are open and transparent, and treat all applications to re-use in a fair and non-discriminatory way.

Privacy Notice (formerly known as Fair Processing Notice)

We will record your contact and request details in order to monitor and improve the service we provide and in order to discharge our statutory obligations under the Act. This information will be handled in accordance with the NHS Confidentiality Code of Practice and the *Data Protection Act 2018*.

Using personal data we provide

You are required not to use personal data which is provided to you for electronic marketing (telesales, fax, e-mail) to our staff and comply with the Privacy and Electronic Communications (EC Directive) Regulations 2003. Provision of such personal data in response to a Freedom of Information or Environmental Information request does not constitute consent from the individual concerned.

The *Data Protection Act* gives individuals rights to prevent processing likely to cause substantial unwarranted damage or unwarranted distress (section 10) and to prevent processing for the purposes of direct marketing (section 11). You should be aware that selling, giving or sharing of personal data could breach the *Data Protection Act*.

Feedback

Your feedback is welcome to help us improve the service we provide. Please send comments or suggestions to our address.

Yours sincerely,

IG and FOI Team

NHS South West London ICB