



University Hospitals Sussex

NHS Foundation Trust

Freedom of Information Office

C/O Company Secretary
Worthing Hospital
Lyndhurst Rd
Worthing BN11 2DH

21 June 2023

Re: Freedom of Information Request FOI230137

Thank you for your recent request for information under the terms of the Freedom of Information Act.

We are now in a position to respond to your request.

Your request:

I am currently conducting a benchmarking exercise looking at Subject Access compliance within the NHS to identify any trends that correlate to higher compliance levels and best practice. Please can you provide me with the following information for the 2022/23 financial year.

1. How Many Subject Access Requests have been received by your organisation? (Please provide only those requests relating to Health and Social records where possible i.e Exclusion of requests for HR information. If this is not possible please provide the total number of all requests).
2. Please provide the number of these requests which exceeded the one calendar month timeframe for processing (or those which have exceeded a total of three calendar months where an extension has been issued).
3. How many of the total requests received were issued an extension.
4. What system(s) is currently used to process / log these requests.
5. Do you have any software or systems for redaction purposes.
6. Please provide the Number of staff within the team processing (logging, facilitating and releasing) these requests including the relevant Agenda for Change grades. Please provide WTE and HC.
7. Please provide the department in which the team processing these requests resides. If multiple teams/ departments process Subject Access Request, please provide details for both.
8. Are your organisations medical records paper based, electronic or a mixture.
9. If electronic do you use a single EPR or multiple sources?

10. Are staff processing requests provided with a list of systems/ default locations to check in order to obtain the records requested.
11. Are all records reviewed prior to disclosure? If so who are these reviews conducted by.
12. Which roles carry out redaction of records prior to disclosure.
13. Do you issue or make available to data subjects a Subject Access Request, request form? (including any web based forms).
14. If you have a procedure or standard operating procedure covering the processing of these requests can you please provide this.

Our response:

Under Section 1(1)(a) of the Freedom of Information Act (FOIA), the Trust can confirm that it holds information relevant to your request and this has been provided where possible below.

Please note University Hospitals Sussex NHS Foundation Trust was formed on 1 April 2021, with the merger of Brighton and Sussex University Hospitals NHS Trust and Western Sussex Hospitals NHS Foundation Trust. The two Subject Access departments within the former Trusts continue to operate individually to ensure there is no disruption to our services. We have therefore provided our data broken down by the hospitals associated with each legacy Trust. We regret any inconvenience this may cause. Please note that both Subject Access departments operate in slightly different ways, and this is reflected in our response in the table below. Information about the Trust's seven hospitals can be found by following this link: <https://www.uhsussex.nhs.uk/hospitals/>

For information relevant to questions 1 to 14 inclusive, please refer to the table below:

	Worthing, Southlands and St. Richard's Hospitals	Royal Sussex County, Princess Royal, Sussex Eye and Royal Alexandra Children's Hospitals
1	2173	2928
2	90	27
3	0	4
4	Excel Spreadsheet	Excel Spreadsheet
5	No (Soon to be deployed)	No (Soon to be deployed)
6	1 x Grade 4 (37.5 hrs) 1 x Grade 2 (37.5 hrs) 1 x Grade 2 (30 hrs) 1 x Grade 2 (26.25 hrs) 1 x Grade 2 (18.5)	1 x Grade 4 (37.5 hrs) 3 x Grade 3 (37.5 hrs)
7	SAR Team in Information Governance Department	SAR Team in Information Governance Department
8	Mixed	Mixed
9	Not applicable	Not applicable
10	Yes	Yes
11	Yes - SAR Team	Yes – SAR Team
12	SAR Team	SAR Team
13	Yes	Yes
14	No	Yes (please refer to the attached document

Question 14. Please refer to the attached document Basic Process for Subject Access Requests – redacted.pdf, and note that this document is relevant to the following hospitals only: **Royal Sussex County Hospital, the Sussex Eye and Royal Alexandra Children's Hospitals, Brighton and the Princess Royal Hospital, Hayward's Heath.**

Names and other details have been redacted from this document in line with section 40(2) exemption of the Act on the grounds that this amounts to personal data. It is the Trust's view that the first condition under section 40(3A)(a) is satisfied, namely, that disclosure would be in breach of one of the data protection principles as outlined in the UK GDPR and Data Protection Act 2018; more specifically the First Principle that outlines the requirement that personal data is processed 'fairly'. The engagement of s.40(2) in this case is considered *absolute* and is not subject to public interest considerations.

OGL

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<http://nationalarchives.gov.uk/documents/information-management/ogl-user-guidance.pdf>

If you require clarification or if we can be of any further assistance, please do not hesitate to contact us at: UHSussex.foi@nhs.net If you require our response or the information we have provided in a more accessible format, please let us know and we will be happy to assist you.

If after contacting us with any questions or concerns you remain dissatisfied with the outcome of your enquiry, you have the right to appeal. Please submit your appeal within 40 working days of the Trust's response to your request and indicate why you are dissatisfied, as this will form the basis of our internal review. The Trust will then have 20 working days in which to respond to your appeal or 40 working days in exceptional circumstances. The Trust is not obligated to review the processing of a request if an appeal is received after 40 working days. Please email your appeal or write to:

Freedom of Information Office
C/O Company Secretary
University Hospitals Sussex NHS Foundation Trust
Worthing Hospital

Lyndhurst Rd,
Worthing BN11 2DH

After we have replied to your appeal, if you are still not satisfied with our response to your request you can submit a complaint to the Information Commissioner's Office. This can be done via their website - <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/> or via telephone - 0303 123 1113.

We hope you are happy with the processing of your information request.

Yours sincerely,

Freedom of Information Office
University Hospitals Sussex NHS Foundation Trust