

Please reply to:

Name: Jeanette Randall
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Trust Headquarters
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By Email

Tel: 01737 768511
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Our ref: 6725

7 December 2021

Dear Mr Tobe Hayden Leigh

Freedom of information request

I am writing in response to your request for information which has been handled under the Freedom of Information Act 2000 (FOIA).

I understand that the Trust follows guidance as set out in the Criminal Justice and Immigration Act 2008 in regards to dealing with a nuisance or disturbance on NHS premises.

1. Would you please confirm whether or not Surrey and Sussex Healthcare NHS Trust still follows the guidance on provisions to deal with nuisance or disturbance behaviour on NHS premises in England V2 issued by NHS Protect in March 2012?

http://www.dynamis.training/wp-content/uploads/CJIA_guidance_v2_-_March_2012.pdf

[copy and paste removing the space after www.]

The Trust does still refer to the guidance mentioned above to deal with nuisance or disturbance behaviour on the Trust's premises. The document is now 9 years old and some of its detail may be out of date, but its principles remain relevant in how we interpret the Criminal Justice and Immigration Act 2008.

Please note that there is other guidance available, notably from the NHS Constitution also published in 2012, with guidance in 2013, which provides (Section 3b) a responsibility to patients and the public to *"Please treat NHS staff and other patients with respect and recognise that violence, or the causing of nuisance or disturbance on NHS premises, could result in prosecution. You should recognise that abusive and violent behaviour could result in you being refused access to NHS services."*

I hope this information is helpful, but if you are unhappy with our response, or the way in which your request has been handled, you may request an independent internal review. This would be undertaken by an appropriate senior member of staff at the Trust, who were not involved in dealing with your original request. We aim to deal with internal reviews within 20 working days following receipt. If you wish to request one, please set out your grounds for asking for the review in writing and send it by post or email:

By post: Please address your letter to “Freedom of Information – Information Access Appeal” and send it to our address as shown on this letter.

By Email: Emails should be clearly marked ‘Information access appeal’ and sent to: sash.foi@nhs.net.

Should you remain dissatisfied following an internal review, you would have the right to appeal to the Information Commissioner’s Office (ICO). However, I should point out that under section 50 of the Freedom of Information Act, you are obliged to exhaust the Trust’s own internal review process before appealing to the ICO. The ICO’s contact details are:

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

Tel: 0303 123 1113
<http://ico.org.uk>

We would also welcome your feedback on how well we met your expectations in handling your FOIA request. If you have a couple of minutes, please click on this [link](#) to complete our Freedom of Information Customer Satisfaction Survey and let us know about your experience. The survey is anonymous – unless you choose to provide your reference number.

Please contact me, quoting our reference, if you have any queries concerning this letter and I will be happy to help.

Yours sincerely

Jeanette Randall
FOI Officer