

By email only
Ms Dee Speers



18 June 2014

Dear Ms Speers

I am writing in response to your email dated 20 April 2014 in which you requested we review of our handling of the above-mentioned information request.

Background: your original request

In your original request dated 10 October 2013 you sought the following information: 'Could I please access a full copy of the recent staff survey held at PHSO office?'

That was the entirety of your request.

Background: our original response

In our initial response dated 7 November 2013 we explained that we considered that a qualified exemption applied to your request and that we were assessing where the balance of the public interest lay in this case. We identified that we proposed to respond to your request by Thursday 5 December 2013.

On 3 December 2013 Mr Whiting, Head of FOI/DP, set out in detail why the Ombudsman had concluded that s36 FOIA 2000 applied to your request and why the public interest weighed in favour of not disclosing the information at that time. Essentially we refused to supply this information because we were in the process of analysing the data, discussing the matter with staff and completing an action plan.

Whilst the Ombudsman concluded that your request should be refused at that stage, as Mr Whiting identified at the end of his letter, that the Ombudsman's intention was to make the staff survey results available on our website once the process described above was completed.



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For completeness I should identify that in a follow up email dated 7 December 2013 you sought clarification on: when the staff survey was likely to be published on the Ombudsman's website; and whether your FOI request was now considered complete?

Your request for a review:

On 20 April 2014 you requested we review our handling of your request on the basis that a response to your request was long overdue.

By email dated 19 May 2014 you requested access to the files showing Dame Julie's reasoning on why s36 FOIA 2000 applied to your request.

My Review:

I have reviewed our handling of your request keeping in mind the points you have raised. We responded to your original request on 3 December 2013 and set out in detail why we would not be supplying the information you sought at that stage. In that regard I do not agree that a response to your original request was long overdue.

Dame Julie's reasoning in applying s36 FOIA 2000 was clearly set out to you in Mr Whiting's letter dated 3 December 2013. The FOIA 2000 entitles you to information, not documentation, and in direct response to your request dated 19 May 2014 we are not obliged to provide you with the documentation cataloguing Dame Julie's approval to apply s36 FOIA 2000. However, following my review I can confirm that you have been provided with the reasoning Dame Julie approved in applying the exemption contained within s36 FOIA 2000. I am therefore satisfied that we have fully met our obligations to you under information access legislation.

You subsequently sought clarification on when the Ombudsman was likely to publish the staff survey. I would like to apologise as I cannot see that we have ever formally responded to that request. I can confirm that the Ombudsman intends to make this information available in July and I hope this clarification is of assistance. Again my apologies for any inconvenience this may have caused you.

That concludes my review. If you consider that I have not dealt with your information request properly you can raise the matter with the Information Commissioner. He can be contacted at:

**The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5A**

Yours sincerely



**Steve Brown
Head of Risk and Assurance**