



Resolution

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February 2020
FOI_4355

The following information was requested on 18 December 2019:

The number of MHPS referrals you have received from the Belfast Trust and what percentage of them have involved the advice to proceed with an investigation.

Our Response

Please note any decision to proceed with an investigation would be a matter for the employer to determine, and our advice would be about whether the course of action being contemplated by the employer appears to be a reasonable/appropriate option to pursue based on the information presented to us.

We are unable to provide the requested information as we believe it would exceed the appropriate limit set under the Freedom of Information legislation (FOIA). We have searched for the number of Practitioner Performance Advice cases concerning Belfast and the results show there were 143 recorded between the period 2006/7 through to December 2019.

We are not able to identify the MHPS referrals without reviewing each case and making a judgement.

Therefore, we estimate that the cost of complying with the request in its entirety would exceed the 'appropriate limit'. Section 12(1) of the FOIA is a provision which allows a public authority to refuse to comply with a request for information where the cost of compliance is estimated to exceed a set limit (known as the 'appropriate limit'). The 'appropriate limit' for NHS Resolution is £450. This equates to 18 hours of work at the rate of £25 per hour set out in the 'Fees Regulations'.

We estimate that it would take on average 20 minutes to locate, retrieve and extract the requested information from an individual file. We therefore estimate that would take approximately 47 hours to comply with this request.

In addition, given the complexity of these cases, it is possible for a single electronic file to contain hundreds of documents in a variety of formats.

Please note even if we were able to carry out a review of a small number of random files we may not be able to provide you with the data you require owing to Data Protection grounds.

We would need to suppress low numbers or any information that could possibly lead to the identification of individuals where disclosure would breach the General Data Protection Regulation.

This concludes our response to your request.

If you are not satisfied with the service that you have received in response to your information request, it is open to you to make a complaint and request a formal review of our decisions. If you choose to do this, you should write to [Tinku Mitra](#), Head of Corporate and Information Governance for NHS Resolution, within 28 days of your receipt of this reply. Reviews of decisions made in relation to information requests are carried out by a person who was not involved in the original decision-making about the request.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a review of the decision. Generally, the Information Commissioner will not make a decision unless you have exhausted the local complaints procedure. The address of the Information Commissioner's Office is:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF