NHS Tayside has now considered your request dated 11 March 2019.

Extract from Request

"May I request the following information:

1. The number of occasions on which NHST has refused to comply with an information request or refuse to disclose information because it is exempt, over the past five years, broken down by year.
2. Can you provide the information in question 1 by the reason given i.e. it would cost too much or take too much staff time, the request is vexatious, GDPR, government policy or other. Alternatively, can you provide any information about the number of occasions on which the public interest test has been satisfied over the last five years, leading to compliance when it would ordinarily be refused.
3. The number of occasions on which NHST has failed to respond (FTR) as per the Scottish Information Commissioner's guidance over the last five years, broken down by year.
4. The number of occasions on which an appeal has been made to the commissioner, broken down by year over the last five years."

Response

1&2. NHS Tayside’s Information Governance team has never refused/declined a Freedom of Information (FOI) request.

Please see below table for the number of FOI requests provided, where an exemption has been applied.

<table>
<thead>
<tr>
<th>FOI Exemptions</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excessive cost of compliance</td>
<td>51</td>
<td>54</td>
<td>46</td>
<td>42</td>
<td>25</td>
</tr>
<tr>
<td>Information not held</td>
<td>184</td>
<td>199</td>
<td>232</td>
<td>254</td>
<td>305</td>
</tr>
<tr>
<td>Confirm nor deny</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Information otherwise accessible</td>
<td>18</td>
<td>7</td>
<td>5</td>
<td>6</td>
<td>20</td>
</tr>
<tr>
<td>Information for future publication</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Commercial interests and the economy</td>
<td>3</td>
<td>10</td>
<td>10</td>
<td>16</td>
<td>8</td>
</tr>
<tr>
<td>Personal information</td>
<td>97</td>
<td>118</td>
<td>117</td>
<td>165</td>
<td>159</td>
</tr>
</tbody>
</table>

3. NHS Tayside’s Information Governance team has never failed to respond to a Freedom of Information request.

4. NHS Tayside had four appeals made to the commissioner in 2016, one appeal in 2017 and one appeal in 2018.

<table>
<thead>
<tr>
<th>Document Ref.</th>
<th>FOISA Exemption Applied</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>IGTFOISA6087</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

Under section 20 (1) of the Act, if you are dissatisfied with the way NHS Tayside has dealt with your request, you have a right to request a review of our actions and decisions in relation to your request, and you have a right to appeal to the Scottish Information Commission.

A request for an internal review must be made in writing no later than forty working days from receipt of this response and addressed to:

Tayside NHS Board Secretary
Tayside NHS Board Headquarters
Ninewells Hospital & Medical School
Dundee, DD1 9SY

If you are not content with the outcome of the internal review, you have the right to apply directly to the Scottish Information Commissioner for a decision. The Scottish Information Commissioner can be contacted at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews, KY16 9DS

Or via the online appeal service: [www.itstopublicknowledge.info/Appeal](http://www.itstopublicknowledge.info/Appeal)

If you have any queries about this correspondence, please contact:

Information Governance Team
Maryfield House
30 Mains Loan, Dundee
DD4 7BT

Telephone - 01382 424413
E-mail: [informationgovernance.tayside@nhs.net](mailto:informationgovernance.tayside@nhs.net)

Information Governance
NHS Tayside
8 April 2019