

**Information Governance**

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5 September 2017

Reference no. 17180047 R2

Dear

**Request for Information and review of responses: Freedom of Information Act**

Thank you for your request of 22 May, which was:

Request:

1 – how many requests for reasonable adjustments under the Equality Act have you received from your staff?

2 – could you break down the numbers of requests at question 1 in terms of types of disability involved, eg, mobility impairments, vision impairments, hearing impairment, cognitive impairment, etc?

3 - how many of these requested adjustments are made/granted? If possible, could this also be broken down by category of disability?

4 – in the cases where the requested adjustments are made, what is the time taken between each request being made and the adjustment being made?

5 – in the cases where the requested adjustments are not made, what is the reason (in broad terms) for not making those adjustments? eg, excessive cost, restrictions due to planning laws, etc.

Response:

I have reviewed the response provided primarily by the Trust Human Resources department, which I send out on behalf of the Trust. The Trust responded to this request on 20 June and provided a link to some published information to advise and assist, but overall applied the appropriate limit in section 12 of the Freedom of Information Act. The number of estimated records was based on the number of staff who had a declared a disability, where staff status

was undefined and those who had not yet made a declaration either way. The Trust calculated that there were in excess of 1500 records to review, which was likely to take a minimum of 125 hours.

The Trust received an email from you on 20 June asking a question about publication of the Equality and Diversity Report. A current report has not yet been published, though there is an intention to publish an up-to-date version, an anticipated date is not available. This information is intended for future publication, the Trust has applied section 22 of the Freedom of Information Act to this updated request, though the Trust is not able to advise on a publication date.

You kindly suggested a reduction in the scope of the request, to questions 1 to 4 of your request and confining the scope to records of staff who had registered a disability.

The Trust responded on 20 July that a confined search would still be likely to exceed the appropriate limit. The increase in search time reported is based on a re-assessment of how long it would be likely to take to search each record. We have revisited this and whilst it is possible that this reduced search may take less than the appropriate limit, the Lead Occupational Health Specialist Practitioner has assessed that it is probable that such a search would not produce the information required, namely that the request for information is about requests for reasonable adjustments. This is because the majority of people referred for reasonable adjustments do not already have a registered disability, so would not appear on the list from the Trust Electronic Staff Record that would be used as the starting point for searching the Trust Occupational Health system. The Occupational Health system does not record a request for reasonable adjustment as a data item or in an easily searchable form: all information and documents in the record have to be individually reviewed to extract and collate the data requested. This confined search may produce some information but would not therefore provide the information requested, being registered as disabled is not the same as requiring consideration of adjustments to undertake a role. It would not include the likeliest source of requests for reasonable adjustments which would come from individuals not already registered as disabled. Potentially the other 5000 or so employees of the Trust. The request directs the Trust to provide information about requests for reasonable adjustment.

The Trust could perform the more directed search you suggested but we believe it would not answer the request originally made, and provide the information requested. We have explored how we could access the information requested but It is unfortunately still the case that to perform the searches required to answer the request would exceed the appropriate limit. The key electronic system holding the information required to address this request does not categorise requests for reasonable adjustments, and does not have a text mining facility which would identify records potentially relevant to the request. Manual search and review of each employee record would be necessary to extract the information requested, which where it was noted would have to be separately noted and collated. The Trust employs approximately 6000 people and it will take many more than 18 hours to collate the information necessary to service this request. We have considered how we might provide some information in response to the request, or advise how different questions could be answered, but unfortunately are not able to suggest anything.

The Trust included information about Equality in general, the powerpoint slides, to provide assistance and some information about numbers of staff and characteristics in the Trust. I apologise if this was not helpful.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to me and I will ensure the decision is reviewed. The Trust will consider undertaking a review if requested to do so within 40 working days of the date the response is received by the applicant, and will apply discretion if a longer period of time has passed.

Should you wish to make a complaint as a result of the outcome of such a review, you may apply directly to the Information Commissioner's Office (ICO) for a decision.

Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Trust for FoI Act matters.

The ICO can be contacted at:

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

Please contact me if there are any further queries.

Kind regards,

Yours sincerely,

Mark Underwood

Head of Information Governance