



Medicines Management/Pharmacy Team: Standard Operating Procedure for the Management of Freedom of Information Requests

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The latest approved version of this document is online.
If the review date has passed please contact the Author for advice.

Powys Teaching Health Board is the operational name of Powys Teaching Local Health Board
Bwrdd Iechyd Addysgu Powys yw enw gweithredol Bwrdd Iechyd Lleol Addysgu Powys

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ENGAGEMENT & CONSULTATION

Key Individuals/Groups Involved in Developing this Document

Role / Designation
Jacqui Seaton, Chief Pharmacist

Circulated to the following for Consultation

Date	Role / Designation
30/09/2020	Medicines Management dept. team members
24/10/2023	Head of Primary Care Medicines Management Head of Community Services Medicines Management Senior Pharmacist – Formulary Management and High Cost Drugs

Evidence Base

Please list any National Guidelines, Legislation or Health and Care Standards relating to this subject area?

[Freedom of Information Act 2000](#)

[Information Commissioner's Office \(ICO\) – Guide to Freedom of Information](#)

IMPACT ASSESSMENTS

Equality Impact Assessment Summary					
	No impact	Adverse	Differential	Positive	Statement
					<i>Please provide supporting narrative for any adverse, differential or positive impacts that may arise from the implementation of this policy</i>
Age	X				
Disability	X				
Gender reassignment	X				
Pregnancy and Maternity	X				
Race	X				
Religion or Belief	X				
Sex	X				
Sexual Orientation	X				
Marriage and Civil Partnership	X				
Welsh Language	X				
Risk Assessment Summary					
<p>Have you identified any risks arising from the implementation of this policy / procedure / written control document?</p> <p>No risks identified</p>					
<p>Have you identified any Information Governance issues arising from the implementation of this policy / procedure / written control document?</p> <p>No risks identified</p>					
<p>Have you identified any training and / or resource implications as a result of implementing this?</p> <p>None identified</p>					

1 Introduction

The Freedom of Information Act 2000 came into force in January 2005, it provides individuals with the legal right to request, and be given, information held by public authorities. Section 1 of the Act gives a general right of access, from 1st January 2005, to recorded information held by the THB, subject to certain conditions and exemptions contained in the Act.

Freedom Of Information (FOI) requests relating to medicines are routinely directed to the Medicines Management/Pharmacy Team by the health board's FOI Team.

2 Objective

This standard operating procedure (SOP) sets out how the Medicines Management/Pharmacy Team will manage FOI requests. The intention is to ensure that FOIs are managed efficiently and in accordance with FOI legislation and guidance.

3 Definitions (Mandatory Heading)

- **FOI** – Freedom of Information
- **IG** – Information Governance dept.
- **PTHB** – Powys Teaching Health Board
- **SOP** – Standard Operating Procedure

4 Responsibilities

4.1 Chief Pharmacist

The Chief Pharmacist must:

- Ensure all staff read and understand this SOP
- Ensure implementation of the SOP across the Medicines Management/Pharmacy Team.
- Monitor compliance with this SOP

4.3 Senior Pharmacists

The Senior Pharmacists must:

- Ensure dissemination and implementation of this SOP
- Ensure staff are trained in using this SOP
- Support Medicines Management/Pharmacy staff with the implementation of this SOP

4.4 All Medicines Management/Pharmacy Staff

All Medicines Management/Pharmacy staff must:

- Be aware of and familiar with this SOP
- Manage FOI requests in line with this SOP
- Seek support from senior colleagues where required

5 Process

5.1 Receiving a Request

External Requests

Any FOI requests received directly by the Medicines Management Team from outside the organisation must be forwarded to the health board's FOI Team for processing PowysFOI.FOI@wales.nhs.uk

Internal Requests

The health Board's FOI Team will routinely send all FOI requests that require input from the Medicines Management/Pharmacy Team to the Chief Pharmacist and PA to the Chief Pharmacist.

The PA to the Chief Pharmacist will record the FOI on the FOI Request Log

Care should be taken to ensure that the FOI reference number within the email subject line is preserved.

5.2 Forwarding a Request

Within one working day of receiving the FOI request, the Chief Pharmacist will review the request.

Where it is immediately clear that the Medicines Management/Pharmacy Team does not hold the requested information, the Chief Pharmacist will communicate this to the FOI team, signposting, wherever possible, to where the information may be held.

Where a response from the Medicines Management Team is considered appropriate, the Chief Pharmacist will identify the most appropriate member/s of the team to consider the request and draft a response. The request will be forwarded via email and the person/s to whom the responsibility to draft a response is delegated, will be required to provide a draft response to the Chief Pharmacist within two working days.

	<p>In the absence of the Chief Pharmacist, the PA to the Chief Pharmacist will forward the request to the most appropriate senior pharmacist in the team for action. If the Chief Pharmacist is still absent at the time that the draft response is submitted, it should be sent to the PA to the Chief Pharmacist who will seek approval from the Medical Director before submitting it to the FOI Team.</p> <p>The FOI Request Log should be updated as necessary.</p>
	<p>5.3 Unclear or complex requests</p> <p>In the event that the request is not sufficiently clear for the Medicines Management/Pharmacy Team to prepare an accurate response, this will be raised with the FOI Team within 2 working days of the request being received by the Medicines Management/Pharmacy Team. The Chief Pharmacist, or the person to whom the responsibility for drafting a response has been delegated, will liaise with the FOI team to clarify the request.</p> <p>Where it is not possible to provide the requested information within 5 working days, e.g. due to complexity, this should be raised with the Chief Pharmacist as soon as this is recognised. The Chief Pharmacist and/or the individual to whom responsibility for drafting a response to the FOI has been delegated will liaise with the FOI team to consider mitigating actions, which may include an extension to the usual deadline, or a refusal to provide the information / levying of a fee where an estimate of the time required to provide the information exceeds 18 hours.</p> <p>The FOI Request Log should be updated as necessary.</p>
	<p>5.4 Preparing a Draft Response</p> <p>All members of the Medicines Management/Pharmacy Team asked to provide information relating to an FOI request should do so in line with guidance published by the Information Commissioner’s Office, including “Determining whether information is held”.</p> <p>Where the Medicines Management/Pharmacy Team does not hold information relating to one or more components of the FOI request, this should be communicated in the draft response. Wherever possible, the response should identify an alternative source of the requested information.</p> <p>The requested information should be emailed in full to the Chief Pharmacist as soon as practical, and within 2 working days whenever possible. The email</p>

should contain the original request and preserve the FOI reference number within the subject line.

Responses to FOI requests must not contain patient identifiable information and therefore, password protection is not required for information forwarded via NHS email.

The FOI Request Log should be updated as necessary.

5.5 Provision of Final Response

The Chief Pharmacist will review the information provided and ensure that all components of the FOI request are addressed before approving and forwarding a final response to the FOI Team.

Where the draft response is not approved, the Chief Pharmacist will liaise with the member of the Medicines Management/Pharmacy Team to whom the responsibility of drafting a response was delegated to address the relevant issue(s).

The FOI Request Log should be updated as necessary

6 Monitoring Compliance, Audit & Review

All information provided in response to FOI requests will be routinely reviewed by the Chief Pharmacist prior to submission to the FOI team (or by the Medical Director in the absence of the Chief Pharmacist).

This document will be reviewed every three years or earlier should audit results or changes to legislation / practice within PTHB indicate otherwise.

7 References

[PTHB / IGP 002 - Policy for compliance with The Freedom Of Information Act 2000 and Environmental Information Regulations 2004](#)

[ICO – What is the Freedom of Information act?](#)

[ICO – Guide to Freedom of Information](#)

[ICO – Determining whether we hold information.](#)

Appendix One: Template FOI Responses

1. Requests for data relating to primary care prescribing costs/levels:

Data on primary care prescribing volume (not patients) in Powys is available in the public domain and can be accessed by the requestor via the link below:

<https://nwssp.nhs.wales/ourservices/primary-care-services/general-information/data-and-publications/prescribing-data-extracts/general-practice-prescribing-data-extract/>

The site contains guidance on how to download the data, but the requestor will need to analyse it to extract the required information.

2. Requests for data relating to the number of patients treated in primary care:

Primary care prescribing data does not contain details of individual patients or patient numbers. The PTHB Medicines Management/Pharmacy Team is therefore unable to provide the information requested.

3. Requests for data relating to primary care rebate schemes:

Primary care rebates are negotiated with the pharmaceutical industry centrally by the Procurement Team in NHS Wales Shared Services Partnership on behalf of all Health Boards and NHS Trusts.

PTHB does not directly enter into any agreements with pharmaceutical companies and therefore does not have its own rebate policy.

[Details of all active rebates, pharmaceutical companies and their start and end dates can be downloaded by accessing the One Wales MM Platform.] This information should be downloaded by the Medicines Management Team and provided in the FOI response.

4. Requests relating to the number of patients treated in secondary care, where exact numbers are not available:

PTHB does not initiate treatment with any of the medicines listed; patients are treated by providers outside of Powys. PTHB commissions

XXXXXXX services from a number of Welsh health boards and English provider organisations.

Due to the complex nature of PTHB's commissioning arrangements, not all of our providers *[insert relevant clause e.g. "indicate the indication for use" / "indicate the age of the patient" / "indicate which department the patient was treated in"]* for each episode of care where these drugs are used. For this reason, PTHB does not hold the data relating to your request, however, the health board is working closely with providers to ensure that this information can be provided in the future. We therefore recommend that you approach our providers for this information directly:

(Delete if irrelevant:)

Health Board/Organisation	FOI Contact Details
Gloucester Hospitals NHS Foundation Trust	ghn-tr.foi@nhs.net
Midlands Partnership NHS Foundation Trust	FOI@mpft.nhs.uk
Robert Jones Agnes Hunt	rjah.foi@nhs.net
Sandwell and West Birmingham NHS Trust	swb-tr.SWBH-GM-FOIRequests@nhs.net
Shrewsbury & Telford Hospital N H S Trust	https://www.sath.nhs.uk/about-us/freedom-of-information/make-an-enquiry/
The Royal Wolverhampton NHS Trust	rwh-tr.foi@nhs.net
Worcestershire Acute Hospitals NHS Trust	wah-tr.FOI@nhs.net
Wye Valley NHS trust	https://www.wyevalley.nhs.uk/about-us/information-requests.aspx

Health Board/Organisation	FOI Contact Details
Aneurin Bevan University Health Board	FOI.ABB@wales.nhs.uk
Betsi Cadwaladr University Health Board	bcu.foi@wales.nhs.uk
Cardiff & Vale University Health Board	FOI.Requests@wales.nhs.uk

Cwm Taf Morgannwg University Health Board	Freedomofinformation@wales.nhs.uk
Hywel Dda University Health Board	FOI.hyweldda@wales.nhs.uk
Swansea Bay University Health Board	FOIA.Requests@wales.nhs.uk
Velindre University Health Board	Foi.vunhst@wales.nhs.uk

I am sorry I cannot be of more help.

Response to requests for information on Formulary items

Link to formulary

Response to info for request on Policies/Guidelines/SOPs

If published – link to internet pages