



FOI REF: 23/225

2nd May 2023

FREEDOM OF INFORMATION ACT

I am responding to your request for information under the Freedom of Information Act. The answers to your specific questions are as follows:

I am writing to you under the Freedom of Information Act (2000) to ask that you please disclose details of the figures and details of cases of patients presenting at your A&E departments with symptoms of taking nitrous oxide gas year by year from 2018-2023.

Please state the year, the symptoms shown and the outcome of the A&E visit.

East Sussex Healthcare NHS Trust does not centrally record patients presenting to A&E with symptoms of taking nitrous oxide gas. To enable the Trust to provide this information would require a manual review of 500 sets of notes for each day which we estimate would exceed the 18-hour timescale. We are therefore applying Section 12(1) to your request.

Section 12(1) of the Act allows a public authority to refuse to comply with a request for information if the authority estimates that the cost of compliance would exceed the 'appropriate limit', as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations). These state that this cost limit is £450 for public authorities which are not part of central government or the armed forces. The costs are calculated at £25 per hour per person regardless of the rate of pay, which means that the limit will be exceeded if the work involved would exceed 18 hours. The Trust estimates that the cost of complying with this request would significantly exceed the above limit.

If I can be of any further assistance, please do not hesitate to contact me.

Should you be dissatisfied with the Trust's response to your request, you have the right to request an internal review. Please write to the Freedom of Information Department (esh-tr.foi@nhs.net), quoting the above reference, within 40 working days. The Trust is not obliged to accept an internal review after this date.

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Should you still be dissatisfied with your FOI request, you have the right of complaint to the Information Commissioner at the following address:

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

Telephone: 0303 123 1113

Yours sincerely

Linda Thornhill (Mrs)
Corporate Governance Manager
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