

Freedom of Information request 83-20

Request

Please note all questions relate to April 2018 to March 2019:

1. How many parking tickets are issued per year
2. How many parking tickets go unpaid in % or number.
3. How many go to court in % or number
4. Can you only issue tickets on land you own.
5. Do you own the large grass roundabout, I have been told by Management you dont own it, do you own it.
6. Can you legally issue tickets on the roundabout.
7. There are double yellow lines round the roundabout, which normally are for Disabled with a Blue Badge, Yellow lines are part of the road traffic act and enforced by the Police or Police Traffic Warden, to say its illegal is a Police matter, can you give me a copy of the criminal offence.
8. To say its illegal to park on the flight path of a Helicopter, it is impossible to park in your grounds without being in the flight path, you yourselves have just built a car park on the Helipad/Roundabout that the helicopter does fly over, do you issue tickets to all thats parked there
9. (With regards to your comment about patients with a blue badge parking on the double yellow lines, which circle the helipad or roundabout. (I have spoken to Ms Gail Johnston, Deputy Facilities Manager who informed me that it is illegal to park within the flight path of a helicopter. Any vehicles parked on the double yellow lines surrounding the helipad would receive a parking ticket)

Do you have information to explain how you can do this, and is a criminal act or a civil act. I think its important to clear this point up about civil and criminal as nobody understands what law applies when parking at the Hospital.

10. How many appointments are lost because patients dont turn up
11. Are you aware of any patients committing suicide or dying be cause they received a parking ticket –
12. How much money do you raise per year – Clarification – money received from parking fines

Below is a extract from the Complaints and Patient Experience Team, written by Susan Hogg on 29th January

My colleague Susan Cowe is not at work today but my memory of this conversation was that Mrs Cowe explained that the Patient Experience Team are not involved in the car parking process. I understand the details of how to appeal the decision, payment of fines and the consequences of non-payment is noted clearly on your parking ticket

13. Is there an easy to read phone number on minsterbay watch ticket that people can phone to complain.

14. Is there a easy to read email address on minsterbay watch ticket.
15. Where is the phone number on the ticket that allows people to phone, I can only find one and thats for paying fines only. your policy, (Bransby Wilson will provide a helpline facility for people who have been issued with a Penalty Charge Notice so that they may phone and ask questions. The number will be clearly marked on the PCN and also on all correspondence issued) .
16. Where can people find the appeals procedure you refer to, (A comprehensive appeals procedure will be in place to allow Penalty Charge Notices to be challenged. It is also fully recognised that there are often extenuating circumstances at a hospital leading to people parking for longer than the time limit or parking outwith a bay. The NHS do not wish to penalise such acts and they have therefore set a procedure up that means that the NHS can use discretion in extenuating circumstances and cancel an issued PCN at any time in the processing period. If a PCN is cancelled then this will be confirmed in writing by Bransby Wilson to the recipient of the PCN.)
17. Is this a true statement and is implemented by you, (As indicated above, the NHS can cancel an issued PCN at any time.)
18. As I am a patient and received a ticket twice why have I not been offered this, is it because you wish to penalise patients.
19. On your parking ticket I would expect this statement to apply but it doesnt, is it your intention is to make this comply (The PCN provides clear instructions for people to appeal to Bransby Wilson directly)
20. Where can this information be found (If an appeal against a PCN is received then Bransby Wilson will issue a standard letter confirming receipt of the appeal. The NHS will have the opportunity to review all appeals made)
21. Given you can review all tickets penalties and know if the owner of the vehicle is a patient is it your intention to take a patient to court (If the outstanding financial charge remains outstanding, then it will be necessary to take the matter further to collect the debt. This will likely take the form of court action against the owner of the vehicle issued with the PCN)
22. AS a patient I feel victimised as I cant attend my appointments without fear of getting a parking ticket due to no spaces being available, I am disabled i have a blue badge, the advice given to me by Susan Hogg is to return home and phone the department to say I will miss my appointment, is this the policy of the management and how will it be made available to all patients. (I have spoken to my colleagues in our physiotherapy department and they understand how difficult it can be for patients to find a parking space when they attend for their appointment. If you arrive at the hospital for an appointment and are unable to park and have to return home please call the physiotherapy reception desk on 01896 826458 and let them know. I believe the physiotherapist who you attend is supporting you with your appointments)

What is Trust Managements advice on disabled patients who cannot find a parking space and is it the same advice to able bodied patients.

23. What is the advice of NHS Borders on how to get access to NHS medical treatment without penalty or fear, do I have to use the services of BIAS to help me to get much needed medical treatment.
24. Should this document be sent to all patients to understand the legalities (It is legal to implement such a system?Yes, all as per The Scottish Government, Health Finance Directorate Guidance Car Park Management at NHS Scotland Healthcare sites)
25. (In a letter from Cliff Sharp dated 3rd February 2020 in which he says I should raise my concerns in an appropriate way and one of which does not put other patients at risk.

As you are aware we have various mechanisms for providing feedback including our Patient Feedback Team tel 01896826719 I would therefor ask you to convey any future concerns about your experience through these channels)

When I couldnt find a parking space I phoned Patient Feedback Team tel 01896826719 and spoke to Susan Hogg and said I had to park my car on the roundabout and that I would come and see her after my appointment which I did.

It was from this meeting I went down and found I had a parking ticket, I was lead to believe the roundabout is not HNS Borders property and tickets cant be issued, if they can why did Susan Hogg not tell me tickets could be issued for parking on the roundabout when I first told her i was parked there, this used to be the over spill car parking a few years ago, and you your selves have built a new car park on the round about/helipad.

26. I would like you to give the appropriate advice that should be given, if people cant find a parking space, someone who has authority to overturn a parking notice and a statement addressing the concerns of patients and disabled patients who cannot get parked for there appointments.
27. As i would like to make a complaint about the Patient Feedback Team who do i complain to.
28. How many missed appointments were there by any person that would classify as a patient prior to the introduction of parking fines in December 2013? This is for December 2012 to November 2013 and then December 2013 to November 2014.

Response

1. There were 597 parking charge notices (PCN) issued between April 2018 and March 2019.
2. Of the above notices 162 have not been paid and are now with Debt Recovery Plus Ltd.
3. To date none have led to court proceedings.
4. NHS Borders can only issue tickets on land it owns.
5. NHS Borders own all grounds and roads as set out in our overall site plan, this includes the large grass roundabout.
6. Yes.
7. This information is not held by NHS Borders but under Section 25 of the FOI(S)A 2002 this data is accessible from Police Scotland.
8. No, we do not issue tickets for this car park as this is a designated long stay parking area.
9. NHS Borders follow the [British Parking Association guidance](#), therefore under Section 25 of the FOI(S)A 2002 this information is accessible at this weblink.
10. Please find below the number of Did Not Attends (DNAs) whereby the appointment was lost in the year 2018/19 as requested:

Numbers (New/Review)		
Appointments	Attended	DNA
7146 (3,313 / 3,833)	6813 (3,159 / 3,654)	333 (154 / 179)

11. No.
12. NHS Borders received £11,258 which is not profit but offset against the car park attendant salary.
13. No.
14. Yes.
15. There are 2 phone numbers on the ticket (PCN), one for paying the fine and the other for Minster Baywatch.

16. Information on the NHS Borders appeals procedure can be found on our [public website](#). Therefore under Section 25 of the FOI(S)A 2002 this data is accessible elsewhere.
17. This request is invalid. The Freedom of information (Scotland) Act 2002, provides a right of access to the information we hold. It does not require the public authority to express opinions, make suppositions or draw conclusions. Therefore under Section 17 of the FOI(S)A 2002 this data is not held.
18. This request is invalid. The Freedom of information (Scotland) Act 2002, provides a right of access to the information we hold. It does not require the public authority to express opinions, make suppositions or draw conclusions. Therefore under Section 17 of the FOI(S)A 2002 this data is not held.
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20. Information on the NHS Borders appeals procedure can be found on our [public website](#). Therefore under Section 25 of the FOI(S)A 2002 this data is accessible elsewhere.
21. This request is invalid. The Freedom of information (Scotland) Act 2002, provides a right of access to the information we hold. It does not require the public authority to express opinions, make suppositions or draw conclusions. Therefore under Section 17 of the FOI(S)A 2002 this data is not held.
22. Information on advice for all patients (disabled and able bodied) who cannot find a parking space can be found on our [public website](#). Therefore under Section 25 of the FOI(S)A 2002 this data is accessible elsewhere.
23. This request is invalid. The Freedom of information (Scotland) Act 2002, provides a right of access to the information we hold. It does not require the public authority to express opinions, make suppositions or draw conclusions. Therefore under Section 17 of the FOI(S)A 2002 this data is not held.
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27. Any complaints made against the Patient Experience Team should be directed to Dr Cliff Sharp, Medical Director.
28. Information on the number of missed appointments (DNAs) prior to the introduction of parking charges for December 2012 to November 2013 and then December 2013 to November 2014 cannot be provided as this data was not collected during this period in time therefore under Section 17 of the FOI(S)A 2002 this data is not held.

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or foi.enquiries@borders.scot.nhs.uk.

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **83-20** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information

Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.