



40-42 Friars Walk
Lewes
East Sussex
BN7 2XW

Tel: 0300 123 0999

Email: foi@secamb.nhs.uk

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Email:

Dear

I am writing in response to your enquiry under the Freedom of Information Act 2000 (FOIA) reference FOI/16/05/30.

You requested the following information:

I am writing to request the release of information under the Freedom of Information Act.

I would like to see all documents relating to the departure of Paul Sutton and Tony Thorne, including details of any financial settlements and/or severance packages.

Paul Sutton left the Trust by mutual agreement and received his contractual entitlement, as set out in our annual report. There was no compensation payment.

Tony Thorne resigned from the Trust and there were no contractual obligations due to him.

We cannot release any documents in connection with this matter on the grounds of the exemption contained within s40 (2) of the FOI Act – Personal Information.

Section 40(2) states:

Any information to which a request for information relates is also exempt information if-

- (a) it constitutes personal data which do not fall within subsection (1)*, and
- (b) either the first or the second condition below is satisfied.

(3) The first condition is –

(a) in a case where the information falls within any of the paragraphs (a) to (d) of the definition of 'data' in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene-

- (i) any of the data protection principles, or
- (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and

(b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

(4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject's right of access to personal data).

* subsection (1) states: Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

Section 7(4) of the Data Protection Act 1998 states:

Where a data controller cannot comply with the request without disclosing information relating to another individual who can be identified from that information, he is not obliged to comply with the request unless—

(a) the other individual has consented to the disclosure of the information to the person making the request, or

(b) it is reasonable in all the circumstances to comply with the request without the consent of the other individual.

We cannot provide the requested information as we do not have the consent from the above named individuals to provide this.

I hope you find this information helpful.

If, for whatever reason you are unhappy with our response, you are entitled to pursue any dissatisfaction through South East Coast Ambulance NHS Foundation Trust's (SECAMB) Internal Review Procedure at:

South East Coast Ambulance Service NHS Foundation Trust
40-42 Friars Walk
Lewes
East Sussex
BN7 2XW
Email: complaints@secamb.nhs.uk

Should you remain unhappy with the outcome of any such internal review, you may request a decision from the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House
Water Lane

Wilmslow
Cheshire
SK9 5AF

If I can be of further assistance to you, please do not hesitate to contact me, quoting the above reference number.

Yours sincerely

Freedom of Information Coordinator
South East Coast Ambulance Service NHS Foundation Trust