



40/42 Friars Walk
Lewes
East Sussex
BN7 2XW

foi@secamb.nhs.uk

20th March 2017

Email:

Dear

I am writing in response to your enquiry under the Freedom of Information Act 2000 (FOIA) reference FOI/17/02/24.

You requested the following information:

Will you please provide me with all reports since 1st January 2016 commissioned into the management of staff in the Coxheath Emergency Operations Centre and all associated material and correspondence?

Please note that we are unable to provide the requested information on the grounds of the exemption contained within s40(2) of the Freedom of Information Act (FOIA) 2000 – Personal Information.

For your 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.

Therefore we are unable to provide the requested information without consent from the relevant individuals.

If for any reason you are dissatisfied with our response, kindly in the first instance contact Caroline Smart, Information Governance Manager via the following email address:
FOI@secamb.nhs.uk

Yours sincerely

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