



East London
NHS Foundation Trust

Information Governance

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Email elft.foi@nhs.net

Website: <https://www.elft.nhs.uk>

4 November 2021

Our reference: FOI DA3967

I am responding to your request for information received 7 October 2021. This has been treated as a request under the Freedom of Information Act 2000.

I am now enclosing a response which is attached to the end of this letter. Please do not hesitate to contact me on the contact details above if you have any further queries.

Yours sincerely,

Keshia Harvey
Information Governance Manager

If you are dissatisfied with the Trust's response to your FOIA request then you should contact us and we will arrange for an internal review of this decision.

If you remain dissatisfied with the decision following our response to your complaint, you may write to the Information Commissioner for a decision under Section 50 of the Freedom of Information Act 2000. The Information Commissioner can be contacted at:

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

Tel: 0303 123 1113
Web: www.ico.org.uk

Please note that the data supplied is not allowed to be re-used and/or published without the explicit consent of East London NHS Foundation Trust. Please contact the signatory to request permission if this is your intention

Chair: Mark Lam

Chief Executive: Paul Calaminus

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Request:

Question 1. What is the formal protocol to block everyone in your Trust, and the entire NHS, knowing anything whatsoever about me?

Answer: Under Article 17 of the UK General Data Protection Regulation (GDPR) individuals have the right to have personal data erased. This is also known as the 'right to be forgotten'. However the right to erasure does not apply to health data. Health data is referred to as special category data and its processing is necessary for the provision of services to support an individual's health or social care needs. Sharing of health information takes place on a strictly need to know basis to support an individual's health needs.

Question 2. What is the terminology to be spontaneously and correctly removed from having been made wrongly open to services (ie a patient), when this is an administrative error, as one cannot be discharged if one has never been correctly made a patient in the first place?

Answer: Under Article 17 of the UK GDPR individuals have the right to have personal data erased. This is also known as the 'right to be forgotten'. However the right to erasure does not apply to health data. Health data is referred to as special category data and its processing is necessary for the provision of services to support an individual's health or social care needs. If a referral for services is received from another agency then a record will be created on Trust clinical systems and appropriate action taken such as offering an appointment, or advising the referring agency if the individual referred does not meet the criteria for Trust services. On occasion if an incorrect referral has been received (such as the referrer sending it to the wrong organisation or the referrer inadvertently transposing information relating to two different individuals) the Trust will confirm this with the referring organisation and if appropriate subsequently remove the information.

Question 3. To which non-employee-whistleblowing organisation should the Trust Chairperson be non-employee-whistleblown to as a result of children being raped and made pregnant precisely because the Trust Chair fails to promptly to:

a) know and ensure patients or potential patients have the ability to be promptly informed whether or not the Trust includes in its arsenal of services the "instantaneous prescription of a Personal Welfare Deputy"

b) fails to deal with the wrongful taking on of cases for which it is not qualified

**c) fails to deal with clinicians failing to coherently writing down the symptoms of a patient;
all to the detriment of the timely non-violent removal of the patients' children's virginity.**

Answer: Individuals who have concerns should raise them in the first instance with the Trust's complaints service. If the complaint is not satisfactorily resolved a complainant has the right to escalate their concerns to the Parliamentary & Health Service Ombudsman on 0345 015 4033 or at

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www.ombudsman.org.uk . The Care Quality Commission also deals with concerns. CQC can be contacted at www.cqc.org.uk or on 03000 616161

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