

Information Governance

The Green
1 Roger Dowley Court
Russia Lane
London
E2 9NJ

Telephone: 020 7655 4053

Email elft.foi@nhs.net

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

9th July 2019

Our reference: FOI DA3159

I am responding to your request for information received 30th June 2019. 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,

Ayomide Adediran
Information Governance Coordinator

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

Request:

Would you please be able to provide the following information regarding appointments and / or consultations that are held in private settings (i.e. not settings where there is the potential for a breach of other patient's confidentiality (e.g. group therapy sessions or bays in accident and emergency departments)):

Question 1. Does your Trust allow patients and / or their nominated representatives to make audio recordings of their appointments and / or consultations with a member of staff when they ask the staff member if it is acceptable to do so?

Answer: Please see attached page 4 of the Trust's Audio Visual Recording Policy. This policy is in the process of review.

Question 2. Could you please provide the name(s) of the policy / policies and a copy of the specific section of the policy / policies that is used to inform staff of the policy / policies when a patient and / or their nominated representatives requests to audio record their appointment / consultation?

Answer: The name of the policy is - Audio Visual Recording Policy. Please see page 8 of the policy.

Question 3. Does your Trust allow patients and / or their nominated representatives to make video recordings of their appointments and / or consultations with a member of staff when they ask the staff member if it is acceptable to do so?

Answer: Please see page 8 of the attached Audio Visual Recording Policy.

Question 4. Could you please provide the name(s) of the policy / policies and a copy of the specific section of the policy / policies that is used to inform staff of the policy / policies when a patient and / or their nominated representatives requests to video record their appointment / consultation?

Answer: The name of the policy is - Audio Visual Recording Policy. Please see page 8 of the policy.

Question 5. Does your Trust allow patients and / or their nominated representatives to make audio recordings of their appointments and / or consultations with a member of staff without informing the member of staff about it (i.e. a covert recording)?

Answer: Please see page 8-9 of the attached Audio Visual Recording Policy.

Question 6. Could you please provide the name(s) of the policy / policies and a copy of the specific section of the policy / policies that is used to inform staff of the policy / policies if they discover a patient and / or their nominated representatives has audio recorded their appointment / consultation covertly?

Answer: The name of the policy is - Audio Visual Recording Policy. Please see
Chair: Marie Gabriel Chief Executive: Dr Navina Evans

page 8-9 of the policy.

Question 7. Does your Trust allow patients and / or their nominated representatives to make video recordings of their appointments and / or consultations with a member of staff without informing the member of staff about it (i.e. a covert recording)?

Answer: Please see page 8-9 of the attached Audio Visual Recording Policy.

Question 8. Could you please provide the name(s) of the policy / policies and a copy of the specific section of the policy / policies that is used to inform staff of the policy / policies if they discover a patient and / or their nominated representatives has video recorded their appointment / consultation covertly?

Answer: The name of the policy is - Audio Visual Recording Policy. Please see page 8-9 of the policy.

Question 9. Should your Trust's policies not allow patients and / or their nominated to make audio and / or video recordings (having informed the member of staff and / or covertly) of their appointments and / or consultations could you please provide a copy of your Trust's policies regarding what procedures should be followed by both members of the Trust's staff and the patient and / or their nominated representatives where there may be a specific need for the patient and / or their nominated representatives to audio and / or video record their appointments and / or consultations (e.g. medical issues such as dementia, the patient having nobody available to act as an advocate for them or any other need identified by the patient and / or their nominated representatives)?

Answer: Please see page 4-9 of the attached Audio Visual Recording Policy.

Question 10. Could you please provide a copy of the impact assessment undertaken of the policy / policies cited in response to question 9?

Answer: The Trust does not hold this.

Question 11. Should your Trust's policies not allow patients and / or their nominated representatives to make audio and / or video recordings (having informed the member of staff and / or covertly) of their appointments and / or consultations could you please provide a copy of the information that staff can give to the patient and / or their nominated representatives explaining why it is not allowed?

Answer: Please find attached the Trust's Audio Visual Recording Policy.

Question 12. Should your Trust's policies state that it is for the staff member to decide whether they are prepared to allow appointments and / or consultations to be audio and / or video recorded by the patient and / or their nominated representatives could you please provide the name(s) of the policy / policies and a copy of the specific section of the policy / policies that states what procedures should be followed by both members of the Trust's staff and the patient and / or their nominated representatives

when the member of staff states they are not prepared to be audio and / or video recorded but the patient and / or their nominated representatives are insistent on doing so?

Answer: Please see page 5-9 of the attached Audio Visual Recording Policy.

Question 13. Should your Trust have no policy regarding the situations as detailed in questions 1, 3, 5, 7, 9 or 12 could you please detail what procedures should be followed by both members of the Trust's staff and the patient and / or their nominated representatives should any of the situations detailed occur?

Answer: Not applicable.