

Information Governance
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Email elft.foi@nhs.net

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

4th April 2022

Our reference: FOI DA4103

I am responding to your request for information received **17th February 2022**. I am sorry for the delay in responding to your request. 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,



Lara Cousens
Information Governance Manager – Information Rights

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: Eileen Taylor (Interim)

Chief Executive: Paul Calaminus

We care

We respect

We are inclusive

Request:

Question 1: A copy of this trust's protocol for exchanging medical information about a service user's mental health conditions with the police

Answer: Section 1(1) of the Freedom of Information Act 2000 states:

Any person making a request for information to a public authority is entitled—

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
(b) if that is the case, to have that information communicated to them.

East London NHS Foundation Trust does not have a protocol for exchanging medical information about a service user's mental health conditions with the police. Each request for information is individually scrutinised and a decision made about whether to share information based on a number of factors including service user consent, the reason for the request and the risk to either the data subject or other individuals in withholding or releasing the information.

Question 2: Is there a specific protocol for the trust's triage scheme? If so, a copy of this document.

Answer: Section 1(1) of the Freedom of Information Act 2000 states:

Any person making a request for information to a public authority is entitled—

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
(b) if that is the case, to have that information communicated to them.

The Trust does not have a specific protocol where the Trust is engaged in triage.

Question 3: An outline of, or document describing what training is given to NHS staff surrounding data protection laws?

Answer: All NHS staff are required to complete Information Governance Training, using an approved NHS Training system. At least 95% of all staff must complete this training on an annual basis to comply with the Data Security and Protection Toolkit set out by NHS Digital.

Question 4: How is information about a person's mental health condition stored by the trust, what is the protocol surrounding this and for how long is it retained?

Answer: Please see below link to the Trusts Health Records policy which includes a further link to the Information Governance Alliance Records Management Retention Schedule which the Trust uses to decide how long records should be kept for.

<https://www.elft.nhs.uk/sites/default/files/2022-04/Health%20Records%20Policy%202.7.docx>