



East London

**NHS Foundation Trust
Information Governance**

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

15th January 2025

Our reference: FOI DA5621

I am responding to your request for information received 01 October 2024. 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,

FOI Team

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

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We promise to work together creatively to: learn
'what matters' to everyone, achieve a better quality
of life and continuously improve our services.
We care . We respect . We are inclusive

Chief Executive Officer: Lorraine Sunduza
Chair: Eileen Taylor

Request: This is a formal request under the Freedom of Information Act.

In a Prevention of Future Deaths Report, Inner North London Coroner's Court said that ELFT had identified 12 cases, including what of Mahamoud Ali, in which patients had died and it was later discovered that some of their observation records may have been fabricated.

In a public statement issued by its press office on September 30, 2024, ELFT said: "A number of our staff have been subject to disciplinary processes related to these incidents and we have undertaken a trust-wide quality improvement programme since September 2022 to enhance observations practice".

Question 1: This request is for all documents pertaining to those disciplinary proceedings.

Answer: The Trust has reviewed question 1 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 40 for the FOI Act states:

(2) This exemption covers the personal data of third parties (anyone other than the requester) where complying with the request would breach any of the principles in the UK GDPR.

We have considered the likely consequences of disclosure. The UK General Data Protection Regulation (GDPR) is clear that personal information must not be used in ways that has unjustified adverse effects on an individual.

The information you have requested has the potential for certain individuals to be identified and breaches their rights to privacy, therefore contravening UK GDPR principles. This may include staff under investigation, their colleagues, patients and their relatives / carers and other individuals. The Trust believes that it is possible to identify those individuals from, for example, statements provided or notes of investigation meetings and is therefore unable to provide this information. In this case, the legitimate interests in disclosure does not outweigh the interests and rights of those individuals.



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