



## Blood and Transplant

### Internal Review under the Freedom of Information Act 2000

| Original request details                          |   |
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| FOI request reference                             | FOI 382672  |
| Date received                                     | 5 <sup>th</sup> October 2019  |
| Date of response                                  | 4 <sup>th</sup> November 2019   |
| Detail of request                                 | Could you please tell me if you ever received blood donations from prisons in Devon, i.e. HMP Dartmoor, HMP Exeter, HMP Channings Wood in the 1960's 1970's? Was any of this blood supplied to Greenbank Hospital in Plymouth?  |
| Sign off for original response                    | Wayne Lawley, Head of Corporate Communications  |
| Exemptions  |   |
| Exemption(s) applied                              | <p>NHSBT is unable to provide a response to your request at this time, the information you have asked for is one of many the National Infected Blood Inquiry (IBI) is seeking to identify, their full terms of reference are available here:<br/><a href="https://www.infectedbloodinquiry.org.uk/">https://www.infectedbloodinquiry.org.uk/</a></p> <p>To ascertain this information, the IBI are reviewing substantial amounts of records from many sources including NHSBT, the Department of Health and Social Care and HM Prison Service, you can see what information has been requested on the link above. Therefore, at this time we are unable to provide a definite answer to your query until the IBI have comprehensively reviewed the documentation provided by all sources.</p> |
| Rationale for applying the exemption in this case | The Infected Blood Inquiry team have been given full access to our complete archives as part of their investigations. As previously confirmed the box identified in your request has already been requested by the Inquiry team as part of their review of information NHSBT holds.   |
| Internal review                                   |   |
| Request for review                                | <p>Received 18 July 2019:</p> <p>Dear NHS Blood and Transplant,</p> <p>Please pass this on to the person who conducts Freedom of Information reviews.</p> <p>I am writing to request an internal review of NHS Blood and Transplant's handling of my FOI request, 'Blood donations from prisons in Devon', because I do not consider your response is compliant with the Freedom of Information Act. You should say if you hold the information and you have not. If you have it but are not going to release it you need to cite the relevant exemptions you are relying on to refuse to release the information.</p>  |

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|  | <p>A full history of my FOI request and all correspondence is available on the Internet at this address:<br/> <a href="https://www.whatdotheyknow.com/request/blood_donations_from_prisons_in">https://www.whatdotheyknow.com/request/blood_donations_from_prisons_in</a></p>  |
| Options  | <p>The options available are:</p> <ol style="list-style-type: none"> <li>1. Uphold the decision – agree that the exemptions were correctly applied in the first instance and continue to withhold the information.</li> <li>2. Uphold in part – decide that the exemptions apply to some but not all aspects of the request, so the outcome would be to disclose some and withhold others.</li> <li>3. Passage of time – agree that the exemption was originally correctly applied but given the passage of time it no longer applies.</li> <li>4. Overturn the original decision – decide that the exemption has not been correctly applied and the information should be disclosed.</li> </ol> <p>For 1 and 2 above, the requester will be directed to the ICO should they be unhappy with the decision.</p> |
| Internal review decision and rationale for that decision   | <p>I can confirm I have been completely independent from this case and not involved in any way in the original decision around the application of the exemptions.</p> <p>Our initial response was intended to provide explanation and context around the challenges of responding to your query. Under Section 12 of the Freedom of Information Act 2000 the cost of confirming or denying if we hold the requested data would exceed the appropriate limit for the reasons detailed in our previous response</p>  |
| Reviewer's name and role                                   | Katrina Smith, Head of Information Governance, NHS Blood and Transplant  |
| Please confirm you are independent from this case response | I have not been involved in this case prior to undertaking the internal review   |