

5th September, 2011

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Mr D Park

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Dear Mr Park,

Request under Freedom of Information Act 2000

Request Ref: NGFOI 11/12: 161

[Review Response Letter](#)

We received a Freedom of Information (FOI) request from you on 11th August, 2011 at Northampton General Hospital NHS Trust (NGH) for an electronic copy of the most recent report prepared by or for Northampton General Hospital NHS Trust which provides an evaluation and analysis of employee internet usage, including delinquent use of the internet.

We were sorry to learn that you were not happy with our response to your request.

You considered that the response was incomplete in our explanation of the use of the Section 40 Exemption – Personal Information.

You stated

[“I strongly doubt that aggregated information about employee internet usage could be used to identify an individual and thus be exempt under section 40.”](#)

We have now undertaken a review of our response to your FOI request. I am now pleased that we are now able to provide you with the information shown overleaf as a result of that review.

Review of Response from Northampton General Hospital NHS Trust (NGH) to FOI request
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In order to extract the specific information that has been requested would require the Trust to review individual staff records.

Staff records constitute Personal Information and can only be accessed on a strict “need to know basis” within the context of their employment. Access to personal information is governed by the Data Protection Act 1998.

Access to the individual staff records cannot be justified within the context of obtaining information to respond to this Freedom of Information (FOI) request. Personal information is exempt under Part II - Section 40 of the Freedom of Information Act.

I trust this explains and clarifies our use of the exemption applied, in this case Section 40 – Personal Information.

I hope that you will find the information provided helpful. I also hope that you will be satisfied with the manner in which we have dealt with your request review. If not, please do let me know. Once again, I enclose a Freedom of Information complaints procedure at Northampton General Hospital NHS Trust leaflet for your information.

If you remain dissatisfied after the internal review, you may make an approach to the Information Commissioner as outlined in the enclosed leaflet.

If there is anything you need clarification on, please do not hesitate to contact me.

Yours sincerely,

Ian Garratt

Ian Garratt
Data Protection & Confidentiality Manager
Northampton General Hospital NHS Trust

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