



Mr G Kanter-Webber

By email to: request-849151-93f4650a@whatdotheyknow.com

10 May 2022

Annex A: DHSC response to initial request

Annex B: Request for internal review

Dear Mr Kanter-Webber,

FREEDOM OF INFORMATION ACT 2000 (FOIA): INTERNAL REVIEW

CASE REFERENCE: IR-1403772 (FOI-1400451)

You originally wrote to the Department of Health and Social Care (DHSC) on 30 March 2022 requesting information relating to *Exercise Alice*. We responded to you on 29 April 2022 and a copy of our response, including the full text of your request, can be found in Annex A.

You subsequently emailed DHSC on 29 April 2022 requesting an internal review into the handling of your original request. A copy of your email can be found in Annex B.

The purpose of an internal review is to assess how your FOI request was handled in the first instance and to determine whether the original decision given to you was correct. This is an independent review as I was not involved in the original decision.

We have reviewed our records and believe we have correctly applied both s27 and s38 of the Act and therefore we will not be releasing an unredacted copy of the material requested.

Additionally, the version of the *Exercise Alice* report previously released by both DHSC and UKHSA (specifically the annex in our previous response) had the absolute minimum amount of text redacted, as we sought to be as transparent as possible while ensuring that we mitigated the risks associated with release of the redacted material.

Conclusion

After careful consideration, I have concluded that the response you received to your FOI request was correct and compliant with the requirements of the FOIA.

The review is now complete.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner's Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by DHSC.

The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF
Website: <https://ico.org.uk/make-a-complaint>

Yours sincerely,

Mr D Stanton
FOI Internal Reviews
freedomofinformation@dhsc.gov.uk

Annex A: DHSC response to initial request

Mr Gabriel Kanter-Webber

By email to: request-849151-93f4650a@whatdotheyknow.com

29 April 2022

Dear Mr Kanter-Webber,

Freedom of Information Request Reference FOI-1400451

Thank you for your request dated 30 March, in which you asked the Department of Health and Social Care (DHSC):

“This request relates to the Public Health England report entitled ‘Report - Exercise Alice, Middle East Respiratory Syndrome Coronavirus (MERS-CoV)’ dated 15 February 2016.

Please provide an electronic copy of the complete text of paragraph 2 (headed “Scenario”).”

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

As the title of Section 2 of *Report: Exercise Alice, Middle East Respiratory Syndrome Coronavirus (MERS-CoV) 15 February 2016* is ‘Aim and Objectives’, we have interpreted your request to mean the text of Section 3, which is titled ‘Scenario’.

DHSC holds information relevant to your request.

A review of our records indicates that you have not requested a copy of the document *Report: Exercise Alice, Middle East Respiratory Syndrome Coronavirus (MERS-CoV) 15 February 2016* from the department previously. We therefore attach an extract of Section 3 as released under the FOIA to other individuals to ensure that we have correctly identified the document you are referring to in our response (please see the accompanying annex).

However, we are withholding an unredacted version of the text of Section 3 ‘Scenario’ under Sections 27(1)(a) and 38(1)(b) of the FOIA.

The information redacted under Section 27(1)(a) of the FOIA, which if disclosed would, or would be likely to, prejudice relations between the UK and any other State. Section 27(1) is a qualified exemption, and we are required to assess whether the balance of public interest favours disclosing or withholding the information.

The department recognises that there is a strong public interest in information being made as freely available as possible, allowing the general public to understand decisions made by public authorities that affect their lives.

However, the department has considered the public interest in maintaining the exemption and this outweighs the public interest in its disclosure. The department believes that

release of this information would be likely to prejudice relations between the UK and the State named in the purely hypothetical scenario upon which Exercise Alice was based.

Some information was also redacted under Section 38(1)(b) of the FOIA, which states that if information is disclosed it would, or would likely, endanger the safety of individuals. This information remains redacted in the extract in the annex.

Section 38 is a qualified exemption, and we are required to assess the public interest in withholding this information against that of its release. The department acknowledges that the public has an interest in this information. However, we believe that releasing it would be likely to endanger the safety of individuals, and we therefore consider that the balance of the public interest favours withholding this information.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be sent to freedomofinformation@dhsc.gov.uk or to the address at the top of this letter and be submitted within two months of the date of this letter.

Please remember to quote the reference number above in any future communication.

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF

Website: <https://ico.org.uk/concerns>

Yours sincerely,

Freedom of Information Team
freedomofinformation@dhsc.gov.uk

ANNEX

Extract from Report: Exercise Alice, Middle East Respiratory Syndrome Coronavirus (MERS-CoV) 15 February 2016

3. Scenario

A group of [REDACTED] travelled to [REDACTED]. Some of the group were from London [REDACTED] and the others were from the Birmingham area [REDACTED]. When they returned, all appeared fit and well. Ten days later, three of the group presented at three different hospitals with flu-like symptoms.

All the A & E departments were busy with a high prevalence of patients presenting with flu-like symptoms, however all the patients were admitted. Once the travel history was analysed, MERS-CoV was suspected and a process of contact tracing was initiated and samples were taken for testing. After two days, two of the cases were lab-confirmed with MERS-CoV and a further case at St Thomas' hospital was strongly suspected. Prior to arriving at the hospitals, two of the patients had been part of a large gathering at [REDACTED].

The scenario develops with 50 lab-confirmed cases and 650 possible contacts, various elements of the NHS are under pressure from the cases and the media take a keen interest.

Annex B: Request for internal review

Kanter-Webber IR 1403772

From: G Kanter-Webber <request-849151-93f4650a@whatdotheyknow.com>

Sent: 29 April 2022 16:20

To: FreedomofInformation <freedomofinformation@dhsc.gov.uk>

Subject: Re: Freedom of Information request - Exercise Alice

[You don't often get email from request-849151-93f4650a@whatdotheyknow.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>.]

Dear Department of Health and Social Care

Please can you conduct an internal review on the following grounds:

- Section 27 is not engaged because it is wholly unrealistic to suggest that any sensible foreign government would have a hissy-fit on the basis of the withheld information being disclosed, and
- Insofar as you seek to rely on section 38, your refusal notice is inadequate as it does not explain why the exemption applies.

Yours faithfully

G Kanter-Webber