



Blood and Transplant

request-653617-2102c5b8@whatdotheyknow.com

Charcot Road
Colindale
NW9 5BG

Tel: 01923 366 7643
www.nhsbt.nhs.uk

Our ref: JR/393295

Dear JJ Evans

Re: Information request

Thank you for your request dated 9th March 2020 for information from NHS Blood and Transplant (NHSBT) regarding record of inquiry visit to Filton.

I am writing to advise you that we are able to provide you with the following information in response to your request.

All internal correspondence held by NHSBT that relates to the visit of the Infected Blood Inquiry team to the Filton Donor Centre which took place in 2019. The scope of this request covers the period 1st March 2019 - 31st April 2019.

Please note that the scope of this request does NOT include correspondence which has been sent to or received from the Infected Blood Inquiry as this would evoke a section 32 exemption.

Fortunately, section 32 does not provide an exemption for internal material. Eg material which has not been created by the inquiry, or placed in the custody of the inquiry.

This has been confirmed by the ICO which overturned such attempted by the Cardiff NHS Trust and I would refer you to the document linked below, where Cardiff has had to fix a number of previous FOIs where this exemption was wrongly engaged. I am pointing this out to you now, so that you do not make the same mistake and risk a public ICO decision notice for incorrectly applying the section 32 exemption.

We started to search for the information, but the request brings up a substantial amount of data as there is no one key word that we can look for such as person's name. As far as we can see, potentially, the only way of being sure that we had all the emails would be to capture all emails sent within NHSBT between the dates of 1st March and 30th April 2019 and then review each email to see if they discussed the IBI visit.

I can confirm that NHSBT may hold information relevant to your request. However, to comply with your request as it is currently framed would exceed the cost limit as set out in section 12(1) of the Freedom of Information Act.

Section 12(1) states that a public authority can refuse a request if complying with it would exceed the appropriate limit of £450 (which represents 18 hours). This represents the estimated cost of one person spending this time in determining whether the information is held, and locating, retrieving and extracting the information.

Please be assured that we are keen to assist and if you were to refine your request for information within more specific margins, for example, by specifying a particular subject area to which your request relates, then we may be able to continue processing your request. However, I cannot guarantee that section 12 or any other exemptions will not apply to any information requested.

As we want to assist as much as possible and as a starting point have enclosed the slides that were presented to the Infected Blood Inquiry staff that attended on the day. Please note that the video clips have been removed from the slides as they were so large, but you should still be able to access them from the link in the penultimate slide.

If you are able to narrow down the scope of the request to a couple of days' time frame or name (or job titles) who sent or received the emails this may mean that we are able to provide you with more information.

I hope this is helpful in addressing your questions. Please quote the reference number above in any future communications.

Yours sincerely

A handwritten signature in black ink, appearing to read 'W Lawley', with a horizontal line underneath.

Wayne Lawley
Head of Corporate Communications

E-mail: customer.services@nhsbt.nhs.uk

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to: Customer Services Operations Manager, NHS Blood and Transplant, Charcot Road, Colindale, NW9 5BG (Email: customer.services@nhsbt.nhs.uk).

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by NHS Blood and Transplant (NHSBT). The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.