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3^{1st} August 2022

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Dear Robert,

I am writing in response to your further email under the Freedom of Information Act 2000 (FOIA) reference FOI 220325. This email follows our response to an internal review and has raised the following questions as illustrated below:

Question:

If I have understood what you have provided correctly, you have sent me the list of all public AEDs from your own list that have not (yet) been registered with The Circuit. You have withheld the details of those that are registered, instead suggesting that I can obtain those from the website at <https://www.defibfinder.uk/> . I assume that in order to remove the AEDs that have been registered with The Circuit, you hold a list of those AEDs.

Response.

As previously advised, the Trust joined BHF Circuit, National Defibrillator Network, with a go live data of the 1st April 2022. As part of the project remit a complete master spreadsheet of SECamb registered PAD sites was provided.

Whilst SECamb has registered its own Defibs with the Circuit it cannot confirm that all private parties have done the same. Therefore, you were provided with a spreadsheet relating to the defibs which *remained unregistered* following the marketing campaign facilitated by the BHF during the period 11 April 2022 until 13 July 2022.

This list of registered defibs remains dynamic and the Trust has no control over who registers a defib on the Circuit. Whilst we can view all new registrations, we are unable to extract the data as the BHF are now the data owner.

Following on from your correspondence the Trust has contacted the ICO to seek clarification in relation to *historical information*. For transparency their response has been provided below in a redacted format, as below:

ICO Extract start.....

[25/08/2022, 11:34:51] REDACTED: *With the request which you have received, you would consider which information that, as an organisation, you hold. If you hold this information then it would appear that this is within the scope of the request and that you should send this to the requester, unless there is a good reason not to do so.*

2. If you are aware that a third party has this information, but that you do not, then you should make the requester aware that they should focus their request to the third-party organisation who hold the information.

As above, if you hold this however, you should consider sending this over.

Extract end.....

Question:

*I am afraid that if you want to withhold information like this in response to an FOI request, then you **MUST** state explicitly which exemption you are replying on. In this case I assume you would want to use the section 21 exemption: "Information which is reasonably accessible to the applicant otherwise than under section 1".*

However, I do not believe that you can apply this exemption in this case. First, on a technicality, you said that the "Go Live" date for you with The Circuit was 23rd March 2022. This post-dates my request, so at the time of my request I would guess that the information would not have been available via <https://www.defibfinder.uk/>.

Response:

Following consultation with the ICO we have now provided historical defib information. Please note that this information is *not up to date or a reflection of the data* which the Trust currently holds. Therefore, this should only be used for indicative purposes.

The information provided relates to the SECamb master list of 3445 PAD sites as of 31/03/22. Following sign up to the BHF "The Circuit" this master list was then archived.

However, we have previously provided a spreadsheet relating to the defibs which remained unregistered following the marketing campaign facilitated by the BHF during the period 11 April 2022 until 13 July 2022.

Question:

Secondly, For s21 to be engaged, the information must be "reasonably accessible". <https://www.defibfinder.uk/> only displays information on 10 AEDs at a time, so to collect the full set of around 2500 would take a considerable amount of time. Also, you cannot just scroll the map to reveal new locations, you have to enter a postcode or place name.

It is not clear to me how I would determine an appropriate set of postcodes and/or places that would be guaranteed to return all of the AEDs in your area. Should you wish to rely on this exemption, I believe you would need to provide me with such a list of postcodes/places. But even if you were to do so, I still do not think that it would be reasonable for me to have to enter over 250 different search terms into the site. Thus the information would still not be "reasonably accessible" to me.

Response:

Historical defib information has now been provided in the format to which it was originally recorded. This provides location town and full postcodes.

In the spirit of being open and transparent I have provided below contact details for the Information Commissioners Office (ICO) should you wish to formally complain.

As you will be aware the ICO are the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

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

<https://ico.org.uk/global/contact-us/>

If I can assist further, then please do not hesitate in contacting me at the email address below.

FOI@secamb.nhs.uk

Yours sincerely

Caroline Smart
Head of Information Governance / Data Protection Officer
South East Coast Ambulance Service NHS Foundation Trust