

Ref: FOIA Reference 2018/19-188

**Royal Stoke University Hospital**  
**Quality, Safety and Compliance Department**  
Newcastle Road  
Stoke-on-Trent  
Staffordshire  
ST4 6QG

Date: 17<sup>th</sup> July 2018

Tel: 01782 676474  
Email [foi@uhn.nhs.uk](mailto:foi@uhn.nhs.uk)

Dear

I am writing in response to your email dated 2<sup>nd</sup> July 2018 (received into our office 3<sup>rd</sup> July 2018) requesting information under the Freedom of Information Act (2000) regarding new and additional questions to your FOI request reference 181-1819 (Data Protection Act - Section 2) therefore this is a new request. Please note that we have attached our previous reply for your records.



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Response Letter Dal

On 3<sup>rd</sup> July 2018 we contacted you via email as we required clarification on the specific type of abuse you were referring to. We requested clarification as to whether all of your questions related to child abuse or for adults abusing illegal drugs etc.

On 4<sup>th</sup> July 2018 you replied via email the following:

*“Thank you for your reply asking for clarification. All my questions deal specifically with a general allegation of an adult viewing indecent images of children online; so no physical abuse nor is any specific individual child identified as being abused.”*

As of 1<sup>st</sup> November 2014 University Hospitals of North Midlands NHS Trust (UHNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

**Q1 Please provide a copy of all policies and procedures that a staff member must follow if the partner of a patient makes an allegation to the staff member that the Patient has viewed child pornography at home**

A1 The Trust does not have a specific policy relating to allegations made by a patient’s partner regarding a patient viewing child pornography in their own home.

**Q2 Please provide a copy of all policies and procedures relating to the disclosure of information about a Patient to the Police**

A2 The Trust does not have a specific policy relating to the reporting (to the police) of allegations, made by a patient’s partner, regarding a patient viewing child pornography in their own home.

**Q3 Please provide a copy of all policies and procedures relating to how an email which contains details of an alleged offence by a Patient that was sent by the partner of the Patient to a staff member should be securely transferred to the Police**

A3 The attached document details how secure emails are sent by the Trust as per the relevant overarching legislation. (i.e. Data Protection Act).

**Q4 I now refer to your answers detailed in A2:**

**Please note: the following questions are specifically about recording an alleged offence in a Patients official Medical Records that anyone providing treatment to the Patient would have access to, as opposed to internal Trust records.**

**4) If the explicit consent of the Patient was not given, please state all the conditions under Schedule 3 of the DPA that you would rely on to record a note in the Patients Medical Records identifying that the police may want to interview the Patient.**

A4 Requests for disclosure of medical records, from the police, are considered on a case by case basis. The Trust would seek expert advice as and when required.

**Q5 If the explicit consent of the Patient was not given, please state all the conditions under Schedule 3 of the DPA that you would rely on to record explicit details of the alleged offence in the Patients Medical Records (not just a brief note, but things such as a detailed description of the alleged offence, or the circumstances of why the Police want to interview the Patient)?**

**a. If no Schedule 3 conditions would allow you to record explicit details of an alleged offence in the Patients official Medical Records, please state this as the case.**

A5 As above, the Trust would seek expert advice as and when required.

**Q6 Regardless of your answer to the previous question, if explicit details of an alleged offence against a Patient are recorded by a member of staff into a Patient's official Medical Records, without the Patient's explicit consent, and the Patient's Medical Records are requested by and transferred to another healthcare provider in order to provide treatment to the patient, please state the Schedule 3 conditions you would rely on to transfer the Patients Records and thus disclose the explicit descriptions of the allegation.**

**a. If no Schedule 3 conditions would allow you to transfer the records and thus disclose the details of the alleged offence to another healthcare provider who takes over providing care to the Patient, please state this as the case.**

A6 Hospital medical records are shared with other care service providers as a matter of course for the provision of continuity or care. Should the need arise for redaction of sensitive information the Trust would seek expert advice as and when required.

\*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

***UHNM NHS Trust is a public sector body and governed by EU law. FOI requestors should note that any new Trust requirements over the EU threshold will be subject to these regulations and will be advertised for open competition accordingly.***

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This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

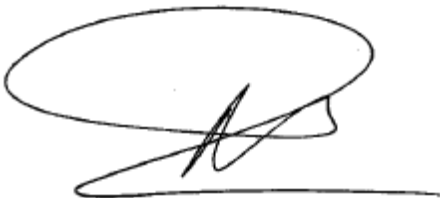
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via [www.ico.org.uk](http://www.ico.org.uk).

If following review of the responses I can be of any further assistance please contact my secretary on 01782 676474.

Yours,

A handwritten signature in black ink, appearing to be 'Mojgan Casillas', written over a large, light-colored oval shape.

Mojgan Casillas  
**Interim Information Governance Manager**



**University Hospitals  
of North Midlands**  
NHS Trust