

Information Governance Department  
East Wing  
St. Pancras Hospital  
4. St. Pancras Way  
London NW1 0PE  
[Freedom.Information@Candi.nhs.uk](mailto:Freedom.Information@Candi.nhs.uk)

6 March 2015

**Reference: 2015-219**

Dear [REDACTED]

**Re: Information Request – Freedom of Information Act 2000**

Following your request for information we received on 9 February 2015. The Trust has looked into your request under the Freedom of Information Act 2000, but it is with regret that we are unable to provide the information you have requested.

You requested:

**“Under the Freedom of Information Act (2000) I seek a copy of the internal report carried out by the trust into the death of former patient Tanya Page. The patient died on May 20, 2014. An inquest into her death has just finished.”**

I can confirm that the Trust does hold the information you have requested. However, I must advise you that the Trust has decided to withhold this information because some of the information contained in the report was provided by another person in confidence to the Trust. The Trust is therefore applying section 41 of the Freedom of Information Act 2000.

Section 41(1) states:

*Information is exempt information if –*

- (a) it was obtained by the public authority from any other person (including another public authority); and*
- (b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.*

Section 41 of the Freedom of Information Act 2000 is an absolute exemption, and is therefore not subject to the public interest test as set out in section 2(1)(b) of the Freedom of Information Act 2000.

I must also advise you that the Trust is also applying section 40(2) of the Freedom of Information Act 2000, because the report contains personal data as defined in the Data Protection Act 1998, which relates to third parties who can be identified. The disclosure would constitute a breach of at least one of the Data Protection Principles defined in the Data Protection Act 1998 and it would be unfair to these third parties and beyond their reasonable expectation to release this information into the public domain.

The full text of section 40 can be found as an attachment to this letter.

Section 40 of the Freedom of Information Act 2000 is also an absolute exemption, and is therefore not subject to the public interest test as set out in section 2(1)(b) of the Freedom of Information Act 2000.

I do hope you are satisfied with the way in which your response was handled, if not you may request an internal review at the above email address within 28 days of this letter. When contacting the Trust please use the above reference that is unique to your request.

If you remain unsatisfied with the outcome of the internal review, you may seek further recourse by lodging an appeal with the Information Commissioner' Office at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF and on the Information Centre's website. [www.ico.gov.uk/](http://www.ico.gov.uk/)

Yours sincerely

  
**Interim Information Governance Officer**