



East London
NHS Foundation Trust
Information Governance
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22nd July 2024

Our reference: FOI DA5304aR

I am responding to your request for a further internal review under the Freedom of Information Act 2000 which was received on 25th June 2024. This was regarding our response on 18th March 2024.

I am now enclosing a response which is attached to the end of this letter. Please do not hesitate to contact me on the contact details above if you have any further queries.

If you are dissatisfied with the Trust's response to your FOIA request then you should contact us and we will arrange for an internal review of this decision.

If you remain dissatisfied with the decision following our response to your complaint, you may write to the Information Commissioner for a decision under Section 50 of the Freedom of Information Act 2000. The Information Commissioner can be contacted at:

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

Tel: 0303 123 1113
Web: www.ico.org.uk

Please note that the data supplied is not allowed to be re-used and/or published without the explicit consent of East London NHS Foundation Trust. Please contact the signatory to request permission if this is your intention



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Chief Executive Officer: Lorraine Sunduza
Chair: Eileen Taylor

Request: DA5304aR

Question 1: The answer to my request for when the document was last reviewed and last updated only says that the DPIA was approved in 2021. Approving the document is not reviewing or updating it. I assume the Trust reviews its DPIAs to ensure they're updated when necessary, etc. The approximate date this last happened is the information I requested, not the date the document was approved. Please confirm whether or not you hold the information I requested.

Answer: The Trust has reviewed its previous response and upholds its decision. The Data Protection Impact Assessment (DPIA) for Oxehealth Digital Care Assistant was last reviewed and updated in January 2021, when it was approved. It has not been reviewed or updated since then. There are no set timescales for the Trust to conduct a review of a DPIA, it is conducted when it is considered necessary or when we change the nature, scope, context or purposes of the processing.

Question 2: Q3 - There are still no risks listed on page 15. Please confirm whether or not any information has been redacted in that section.

Answer: The Trust has reviewed its previous response and upholds its decision. No information has been redacted from the section highlighted, the risk matrix used is to determine and highlight the severity of risk using the system in question, based on the information provided throughout the full DPIA. Risks are not independently detailed in the risk matrix section.

Question 3: Q 4) As I said, the document provided doesn't specify the data collected, when or how it is collected, or how it is used by Trust staff, so no, page 6 does not contain a "full processing description". I requested a DPIA that covers (that is, details and assesses) the use of this technology by Trust staff. The DPIA provided almost exclusively describes Oxehealth's processing and seems to be written from their perspective. Please provide the Trust's DPIA that covers Trust staff's use of Oxevision, which is what I requested, or confirm that you do not hold one.

Answer: The Trust has reviewed their previous response and upholds its decision. To confirm, information was gathered and completed by the company providing the system in conjunction with ELFT. Both parties were involved in the completion of the DPIA, according to the process set out in the Trust's Data Protection by Design Policy (<https://www.elft.nhs.uk/sites/default/files/2023-05/Data%20Protection%20By%20Design%20and%20Default%20Policy%201.1.docx>). The Trust does not have an alternative Oxevision DPIA.

Question 4: Additionally, I requested no images of text, for accessibility reasons, but several pages of the document provided seem to be images of text.

Answer: The Trust has reviewed its previous response and would like to provide an alternative text-based version of the document. Please see attached Appendix 2.



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Original Request: DA5304a

Question 1: As requested in my initial message, could you provide the approximate date this DPIA was last updated and the approximate date it was last reviewed?

Answer: The DPIA was approved in 2021. Please see page 16 of appendix 1 attached.

Question 2: Can you clarify why the response to "Has any / will any consultation take place? Yes or No?" has been redacted in its entirety?

Answer: We apologise for any confusion and can confirm that we are able to disclose this information. Please see page 12 of the attached appendix 1.

Question 3: The "Risks" section of the Information Governance Assessment section does not appear to be complete. Can you confirm whether or not you have redacted any data there?

Answer: The risk metrics are provided at page 15 of appendix 1 attached.

Question 4: This DPIA does not appear to be written to cover the use of Oxehealth technology by Trust staff, which is what I requested. For example, it doesn't specify details about the Trust's specific set up - "Other modules may offer the option of setting up a raw video feed in response to a user action, at the discretion of Partner" - and it states that "The Oxehealth Vital Signs product module requires the display of raw video feed to a user" but does not describe the collection or use of this video feed anywhere. "What will it be used for?" and "How is access controlled?" do not contain a single mention of Trust staff's use of or access to data and appear to be written from the perspective of Oxehealth.

Since the DPIA you provided does not appear to cover Trust staff's use of data, only Oxehealth's, I would like to again request that you provide the Trust's DPIA that covers the use of Oxehealth technology by Trust staff.

Answer: For the full processing description please refer to page 6 of appendix 1 attached.



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Original Request DA5304:

I would like to request a copy of any Data Protection Impact Assessments the Trust has relating to the use of Oxevision or other Oxehhealth technology by Trust staff.

If it is not clear from the documents themselves, please state the approximate dates when they were last updated and when they were last reviewed.

Answer: The Trust has reviewed your request for information under the Freedom of Information Act (FOI) 2000.

Section 21(1) of the FOI Act states:

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

The information requested is accessible here:

https://www.elft.nhs.uk/sites/default/files/2023-08/Response%20FOI%20DA4802%20-%20APPENDIX%201_Redacted.pdf



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