

ND ref. **FOI/17/097**

Freedom of Information

Thank you for your 05/06/17 request for the following information:

I am writing to request information about the community/district nurse teams within the NEW Devon area.

I would like to request the following information:

Team members

Locations covered

Contact Information

Answer: NEW Devon is our Clinical Commissioning Group (CCG). Our Trust is only responsible for Northern Devon services and does not release staff names or details below director level. The Trust is likely to be in breach of the Data Protection Act 1998 should it release details of staff identity or contact information. The Trust as an employer has a duty to maintain staff confidentiality.

The disclosure of staff names would breach the first data protection principle and fail to meet any of the relevant conditions set out in Schedule 2 of the Data Protection Act 1998. The First Principle in the DPA requires that disclosure must be fair and lawful, and, in particular, personal data shall not be processed unless at least one of the conditions in Schedule 2 is satisfied. The staff concerned would not have expected their names to be disclosed in the public domain and so disclosure would not be "fair" in the manner contemplated by the DPA. Furthermore, disclosure would not satisfy any of the conditions for data processing set out in Schedule 2 of the DPA. In particular, we do not consider that there is a legitimate interest in disclosure in this case. There is no public interest in making information about our staff available in this way contrary to what would have been their legitimate expectation at the time the information was gathered.

The Trust therefore applies an exemption under Section 40(2) - Personal Information of the Freedom of Information Act 2000 and section 10 of the Data Protection Act 1998.

Northern Devon Healthcare NHS Trust only runs community services in the north of Devon and you are advised to seek a response with respect to the rest of the NEW Devon area from Northern Eastern and Western Devon Clinical Commissioning Group (NEW Devon CCG). You can contact their Freedom of Information Lead at the following email address: d-ccg.foi@nhs.net

or alternatively write to the Freedom of Information Lead at the following address:

NHS Northern, Eastern and Western Devon CCG
Corporate Office, Newcourt House, Old Rydon Lane, Exeter, EX2 7JU.