

Freedom of Information Request

Reference Number: [EPUT.FOI.20.1480](#)

Date Received: [05 March 2020](#)

Information Requested:

Thank you for the FOI you provided me with on 13.02.2020. I would like to make further FOI request.

1. With regards to Question 2 of previous FOI 1458 - Could you please breakdown the 30 NHS funded patients that have been treated by EPUT, private rTMS service, for each of the seven Essex CCG's (Basildon and Brentwood, Mid Essex, North East Essex, Southend, Thurrock, West Essex, Castle Point and Rochford CCG). You have already given a figure of 2 patients (above) for Mid Essex CCG.

[Please accept our sincere apologies however; the number previously reported of 30 cases was incorrect due to an administrative error. The total number of NHS patients funded within Essex CCG's listed above is 16;](#)

[Basildon & Brentwood 9](#)
[Mid Essex 2](#)
[North East Essex 1](#)
[Southend 1](#)
[Thurrock 2](#)
[West Essex 0](#)
[Castlepoint & Rochford 1](#)

2. If any of the 30 NHS patients have come from outside of the six Essex CCG could you please provide the name of the CCG and the number of their patients treated?

[0 however, there has been one case outside of Essex CCG's who sits under the remit of Barking, Havering and Romford CCG.](#)

3. Could you please provide the names and locations of the EPUT Psychiatrists who prescribe rTMS?

[The Trust is unable to provide the information you have requested. This is because the Trust considers the staff names to be personal information which is exempt under Section 40 \(Personal Information\) of the Act however; we can confirm that there are 3 consultants able to prescribe rTMS Trust wide.](#)

4. Could you please provide the names and locations of the EPUT Psychiatrists who make the individual funding requests/IFR for rTMS for NHS patients?

[All psychiatrists employed by the Trust are able to request funding for a patient under their care.](#)

5. Which CCG's does EPUT commission services for?

[The CCG listed in Q1 commission services for the Trust.](#)

Applied Exemption:

Exemption: Section 40: Personal information

- (1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.
- (2) Any information to which a request for information relates is also exempt information if—
 - (a) it constitutes personal data which do not fall within subsection (1), and
 - (b) either the first or the second condition below is satisfied.
- (3) The first condition is—
 - (a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 2018, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—
 - (i) any of the data protection principles, or
 - (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and
 - (b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 2018 (which relate to manual data held by public authorities) were disregarded.
- (4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1)(c) of that Act (data subject’s right of access to personal data).
- (5) The duty to confirm or deny—
 - (a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and
 - (b) does not arise in relation to other information if or to the extent that either—
 - (i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the

- Data Protection Act 2018 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or
- (ii) by virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1)(a) of that Act (data subject's right to be informed whether personal data being processed).
- (6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 2018 shall be disregarded.
- (7) In this section— “the data protection principles” means the principles set out in Part I of Schedule 1 to the Data Protection Act 2018, as read subject to Part II of that Schedule and section 27(1) of that Act;
- “data subject” has the same meaning as in section 1(1) of that Act;
 - “personal data” has the same meaning as in section 1(1) of that Act.

Publication Scheme:

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organisation. EPUT's Publication Scheme is located on its Website at the following link <https://eput.nhs.uk>