

Freedom of Information Request

Reference Number: EPUT.FOI.21.2123
Date Received: 2 August 2021

Information Requested:

I write as part of a national review of ECT delivery within mental health services to request the following information regarding the delivery of ECT within your Trust.

1. Which Clinical Commissioning Group(s) (CCG) COMMISSION your ECT service?
ECT is a treatment offered by the Trust not a commissioned service
2. Is your ECT service accredited by ECTAS?
South and Mid Essex are accredited. North Essex is registered with ECTAS and working towards accreditation.
 - a. If your ECT service is not accredited by ECTAS, please explain why?
North Essex is currently working towards accreditation.
 - b. If your ECT service is accredited by ECTAS, please provide copies of your two most recent ECTAS accreditation reports.
Of those services accredited by ECTA, the Trust is unable to share its ECTAS reports because they contain patient identifiable information [PID]. The provision of this data is therefore exempt under Section 40 of the FOIA 2000.
3. How do you inform patients about your ECT clinic's ECTAS accreditation status?
A Certificate of Accreditation issued by ECTAS is currently displayed in the clinics and patients, relatives and families are referred to the ECTAS website where there is a display of all listed registered clinics, with a respective accreditation status of all ECT clinics in the UK.

For transparency purposes, please understand responses to this FOI request will be collated and published—including identifying which Trusts do/do not provide adequate responses.

Thank you in advance for your cooperation in helping us better understand present ECT practices at national Trusts.

Applied 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>