

Our Ref: 408  
June 2024

## **Re: Your request made under the Freedom of Information Act 2000**

Under the Freedom of Information Act 2000, I request the following information.

- The number of doctors who have been subjected to formal disciplinary processes, including MHPS, for taking / removing prescription medication not prescribed to them stored in the hospital / GP practice in the following time frames:
  - 2024 so far
  - 2023-2024
  - 2022-2023
  - 2021-2022
  - 2020-2021
  - **None**
  
- The number of doctors who have been referred to the General Medical Council for taking / removing prescription medication not prescribed to them stored in the hospital / GP practice in the following time frames:
  - 2024 so far
  - 2023-2024
  - 2022-2023
  - 2021-2022
  - 2020-2021
  - **None**
  
- The number of nurses who have been subjected to formal disciplinary processes, including MHPS, for taking / removing prescription medication not prescribed to them stored in the hospital / GP practice in the following time frames:
  - 2024 so far
  - 2023-2024
  - 2022-2023
  - 2021-2022
  - 2020-2021

**After careful consideration, we are unable to provide specific numerical data where the count is fewer than five. This decision is made to protect the privacy of individuals and is consistent with our obligations under the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018.**

### **Explanation of Exemption:**

**Section 40(2) of the FOIA exempts the release of personal data if it would contravene any of the data protection principles set out in the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.**

- **\*\*Personal Data\*\***: The numbers requested pertain to very small groups, which could potentially lead to the identification of individuals, thereby constituting personal data.
- **\*\*Data Protection Principles\*\***: Disclosing this information would breach the first data protection principle, which requires that personal data is processed lawfully, fairly, and in a transparent manner. Releasing data where the numbers are fewer than five could inadvertently disclose personal information about identifiable individuals.

**Public Interest Test:**

Section 40(2) is an absolute exemption and does not require a public interest test. The need to protect personal data and the privacy of individuals outweighs the interest in disclosure in these cases.

**Summary:**

In conclusion, while we strive to be as transparent as possible, the information you requested includes counts fewer than five, and releasing such detailed data could lead to the identification of individuals. Therefore, we are unable to disclose this information under Section 40(2) of the FOIA.

- The number of nurses who have been referred to the Nursing and Midwifery Council for taking / removing prescription medication not prescribed to them stored in the hospital / GP practice in the following time frames:
  - 2024 so far
  - 2023-2024
  - 2022-2023
  - 2021-2022
  - 2020-2021
- After careful consideration, we are unable to provide specific numerical data where the count is fewer than five. This decision is made to protect the privacy of individuals and is consistent with our obligations under the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018.

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Section 40(2) is an absolute exemption and does not require a public interest test. The

**need to protect personal data and the privacy of individuals outweighs the interest in disclosure in these cases.**

**Summary:**

**In conclusion, while we strive to be as transparent as possible, the information you requested includes counts fewer than five, and releasing such detailed data could lead to the identification of individuals. Therefore, we are unable to disclose this information under Section 40(2) of the FOIA.**

- The number of non-medical staff who have been disciplined for taking / removing prescription medication not prescribed to them stored in the hospital / GP practice in the following time frames:
  - 2024 so far
  - 2023-2024
  - 2022-2023
  - 2021-2022
  - 2020-2021
  - **None**

**If you are not satisfied with the handling of your request, you have the right to request an internal review. Requests for an internal review should be submitted within 40 working days from the date of this response, and should be addressed to: [Internal review contact details].**

**If you remain dissatisfied after the internal review, you have the right to appeal to the Information Commissioner's Office (ICO). The ICO can be contacted at:**

**Information Commissioner's Office**

**Wycliffe House**

**Water Lane**

**Wilmslow**

**Cheshire**

**SK9 5AF**

**Tel: 0303 123 1113**

**Website: <https://ico.org.uk/make-a-complaint/>**