

21 September 2023

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Thank you for your e-mail which has been escalated to me as a request to review the refusal to disclose training materials relating to a Medicine Management Education and Training programme, originally purchased from South West London and St George's Mental Health NHS Trust.

I am grateful for your inclusion of the specific ICO guidance on disclosure of copyrighted material – as you can see, this is an area of some complexity.

The deciding factor in the decision to withhold the materials that were purchased from South West London and St George's Mental Health NHS Trust was that HPFT is not the organisation that holds the copyright or intellectual property for these materials. On this basis, HPFT cannot make an informed decision about the potential harm that South West London and St George's Mental Health NHS Trust might incur from the publication of their commercial training materials.

In light of the delay in responding to your request, it was not felt to be appropriate to delay further by seeking permission from South West London and St George's Mental Health NHS Trust directly.

On review, the Trust has agreed to disclose the amended materials that our Pharmacy team produced in 2017. We believe that there is sufficient change to the materials to distinguish them from the original product. In addition, these are the materials that were presented to HPFT staff, which we believe aligns with your request for training compliance information.

In 2016/17 Trust training was delivered through Discovery, an online learning management platform – I enclose pdfs of the training.

I hope that this disclosure meets your needs; if you remain dissatisfied with the Trust's decision, you have the right to approach the Information Commissioner to ask them to investigate the Trust's handling of your request. More information is available on their website – www.ico.org.uk

Yours sincerely,

Jennifer Chambers
She/her/they
Head of Information Rights & Compliance/Data Protection Officer

