

Date 04/07/2025
Your Ref
Our Ref 10220

Enquiries to Richard Mutch
Extension 35687
Direct Line 0131 465 5687
loth.freedomofinformation@nhs.scot
richard.mutch@nhs.scot

Dear

FREEDOM OF INFORMATION – STAFF CAR PARKING

I write in response to your request for information in relation to staff car parking investigation.

Question:

- I am writing to request access to recorded information under the [Freedom of Information Act 2000 / Freedom of Information (Scotland) Act 2002] held by NHS Lothian (western general hospital). Specifically, I wish to obtain:
 - CCTV Footage:
 - Recordings from disabled car parking spaces behind D block (near the blue car park booth, between car park six and seven) for the time period 06/01/25 0800-1600.
 - Any available footage in an electronic format (e.g., digital file, DVD) would be preferred.
 - Body Camera Footage:
 - Recordings captured by body cameras during the period 06/01/25 1100 - 1400 between car park six and seven.

I understand that if any of the requested footage includes identifiable personal data or sensitive information, applicable exemptions under data protection legislation may need to be applied. If so, I would appreciate an explanation of the exemptions used as well as any non-exempt or redacted footage available.

- I am writing to formally request access to CCTV footage under the Freedom of Information (Scotland) Act 2002. I am seeking footage from the CCTV cameras covering the third floor of the Alexander Donald building at the Western General Hospital for the period of 5 January 2025, between 2:00 PM and 7:00 PM.

If any exemptions apply that restrict access to this footage, I would appreciate a detailed explanation.

Headquarters
Mainpoint
102 West Port
Edinburgh EH3 9DN

Chair Professor John Connaghan CBE
Chief Executive Professor Caroline Hiscox
Lothian NHS Board is the common name of Lothian Health Board

Answer:

I must advise that we do not release CCTV footage under the Freedom of Information (Scotland) Act 2002 as this is considered to be personally identifiable information – Section 38(1)(b).

It is also the case the CCTV footage is also only held for 31 days, therefore the request footage is no-longer held. As per Section 17 of the Freedom of Information (Scotland) Act 2002 formally I must advise that we do not hold this information.

I am sorry I cannot help further with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/Appeal. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

If you require a review of our decision to be carried out, please write to the FOI Reviewer at the email address at the head of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhslothian.scot/FOI/Pages/default.aspx>

Yours sincerely

ALISON MACDONALD
Executive Director, Nursing
Cc: Chief Executive