

Date 30/07/2025  
Your Ref  
Our Ref 10320R

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Dear

## FREEDOM OF INFORMATION REVIEW - CCTV AND BODYCAM

I write in response to your request for review of NHS Lothian's response to your Freedom of Information request for CCTV and Bodycam footage. Having discussed your request and our response of 4 July 2025, I can respond as follows:

### Original Request and Response:

- 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 for 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.

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*

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

Review Request:

- My original request sought: clarification on staff parking, CCTV footage and body camera footage, departmental complaints. The reference for these requests are **10219/20**, where all of the minute information can be found.

**Please understand that the footage and complaints I am requesting are largely of myself so I do not see why confidentiality would apply here at all**

The response I received on 04/07 refused the request on grounds I believe to be unjustified. I believe the use of section 38(1) (b) is overly broad I requested procedural information with redacted content, neither of which necessarily identifies individuals.

Under the Freedom of Information (Scotland) Act 2002, I am entitled to a review of this decision. I would appreciate a reassessment of the decision and a clearer justification if the refusal is upheld.

Review Response:

As advised in the original response the CCTV footage is 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.

[BriefingSection17Informationnotheld.pdf](#)

You have further stated that the information on the CCTV/Bodycam would have been largely in relation to yourself. Therefore I must advise that this would also be considered exempt under Section 38(1)(a) – requestors own personal information. It also remains the case that some of the content would have identified other individuals and is exempt under Section 38(1)(b) third party data.

[FOISA Guidance](#)

If you are not satisfied with this response you still have the right to make a formal complaint to the Scottish Information Commissioner who you can contact at the address below or using the Scottish Information Commissioner's Office online appeals service at <https://www.foi.scot/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.

Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews, Fife  
KY16 9DS  
Telephone: 01334 464610  
Fax: 01334 464611  
e-mail: [enquiries@foi.scot](mailto:enquiries@foi.scot)

Yours sincerely

**Freedom of Information Reviewer/  
NHS Lothian**  
cc: Executive Nurse Director