

Date 15/04/2026
Your Ref
Our Ref 11257

Enquiries to Richard Mutch
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Dear

FREEDOM OF INFORMATION – SOFTWARE BASED ERASURE

I write in response to your request for information in relation to software based erasure.

Question:

1. Whether your organisation's policies, contractual terms, or internal procedures require an explicit outcome based warranty or guarantee that personal data on a specific storage device has been rendered irrecoverable as a final data state following software based erasure.

Answer:

I am advised that NHS Lothian do not use software based erasure on storage devices. They are physically removed and destroyed.

Question:

2. Where software based erasure of storage media is undertaken internally, what recorded evidential assurance is relied upon to conclude that the final data state of the specific storage device is irrecoverable, as distinct from confirmation that an erasure process was executed.
3. Where software based erasure is undertaken by a third party provider:
 - a. Do the certificates or contractual documents held constitute an explicit outcome based warranty or guarantee of irrecoverability for each specific storage device processed?
 - b. Beyond reliance on supplier accreditation or recognised standards including but not limited to ADISA certification, ISO accreditation, NIST alignment, HMG IA standards, NHS Digital guidance, or Data Security and Protection Toolkit assertions, and beyond confirmation that a wiping process was completed, does the organisation hold any recorded, device specific documentation evidencing independent verification, testing, or validation that the data on the storage media has been rendered irrecoverable in practice?

Headquarters
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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

4. If no explicit outcome based warranty or device specific outcome evidence is held beyond certification, accreditation, or confirmation of process completion, please confirm what recorded form of evidential assurance is relied upon when concluding that personal data has been rendered irrecoverable.

Answer:

As per response to question 1 – not applicable.

I hope the information provided helps 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