

Date 17 September 2026
Your Ref
Our Ref 11842R

Enquiries to Richard Mutch
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Dear

FREEDOM OF INFORMATION REVIEW - CAMHS WAITS

I write in response to your request for review of NHS Lothian's response to your Freedom of Information request about CAMHS longest waits. Having discussed your request and our response of 5 August 2026 can respond as follows:

Original Request and Response:

Question:

1. The longest recorded wait (in days or weeks) for a person to begin CAMHS treatment after referral. By longest wait I mean the longest wait (in days) that an individual had out of everyone who had waited to begin CAMHS treatment.

Please provide the longest wait per year for the last six years (2021, 2022, 2023, 2024, 2025 and 2026).

Answer:

It is not possible to provide detail in relation to single longest waits as this would be highly identifiable. Since we do not have their consent to release their personal data, the information is exempt under section 38 of the Freedom of Information (Scotland) Act 2002 as to provide it would breach the principles of the Data Protection Act 2018.

Review Request:

Every other health board has happily provided what I asked for.

If you insist that what I have asked for makes a person 'identifiable' then please explain in detail why that is the case.

I don't understand how revealing that an individual waited for example 66 weeks to start treatment identifies them in anyway? Who could possibly know that information about someone other than the person themselves and some of their family members?

I would suggest you reconsider your reason for not fulfilling my request. No other board agrees with your rationale and clearly have no fears about data making patients identifiable.

As I have already said, if you believe it can identify someone then explain to me in detail why that's the case - don't just assert it.

Review Response:

You have stated the reason yourself for exempting the information, i.e. the individual concerned could self-identify, or someone else that knows them (including staff). That makes it personal data and not releasable into the public domain.

I am advised by our Analytical Services Department that this is our standard response in relation to requests which would be in relation to singular individuals during a specific time frame. Therefore, we see no reason to change the response and believe the exemption applies - Section 38(1)(b) – personal information. We cannot comment on how other Boards respond, but as stated NHS Lothian do not release the level of detail.

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

Yours sincerely

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