Lothian NHS Board

NHS Lothian Headquarters
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG
www.nhslothian.scot

Date 2 November 2026
Your Ref
Our Ref 11971

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

Dear

FREEDOM OF INFORMATION – COMMUNICATION

I write in response to your request for information in relation to email communication methods.

Question:

- I would like to request copies of policies and/or guidance from the health board to psychiatrists it employs relating to email communication with patients and family members. I request copies of policies governing from April 2025 to the date on which this request is processed.

Answer:

I am advised there is no specific policy/procedure within mental health and that they follow the NHS Lothian wide guidance

We have the Caldicott page for information - Caldicott Also enclosed is the email exemption form.

This information is exempt under Section 25 of the Freedom of Information (Scotland) Act 2002 - Information otherwise accessible

(1) Information which the applicant can reasonably obtain other than by requesting it under section 1(1) is exempt information.

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
Enc.

NHS LOTHIAN

Application Number

Adhoc Email Exemption Form

All sections to be completed before submitting request for approval

1. EMPLOYEE DETAILS
Name:
Job Title:
Department:
Address:
Email:
Tel no:
Line Manager:

2. PATIENT DETAILS
CHI:
Name:
Email: *Please specify below if this is parent/guardian/power of attorney email)*

3. Purpose:

Please confirm you will adhere to and understand the following statements, in line with NHSL IT Security and Data Protection policies.

The patient has indicated that this is the preferred method of contact.

The patient understands fully the risk of data loss.

There will be no others copied into emails, and the emails will be not be forwarded.

Minimal amount of patient identifiable data will be used, with only the details pertinent to the discussion at hand.

The emails will be copied into notes in accordance with NHS Lothian guidance.

I confirm I have read and understand the statements above.

Applicant signature ……..

4. Exemption Timeframe

Date of exemption start:

Date of exemption end:

(No longer than 2 years from start date. Review to be undertaken by line manager in line with NHSL IT Security policy and following Caldicott principles. A new form is not required but renewal should be documented.)

5. Any other relevant information (including supporting documentation)

Applicant's signature

Name:

Job Title:

Signature: **Date:**

Counter-signature of Line Manager

Name:

Job Title:

Signature: **Date:**

Caldicott Guardian for NHS Lothian

Miss Tracey Gillies
Executive Medical Director
NHS Lothian
Waverley Gate
2-4 Waterloo Place
Edinburgh
EH1 3EG

Submit completed form to Denise Foley, Business Support Officer, at caldicott.guardian@nhslothian.scot.nhs.uk