

Date: 22 March 2022
Ref: PSC-83328-K9C3

Your request for information

Thank you for your request for information which we originally received on 24 February 2022. Your request has been reviewed and responded to as a legal obligation pursuant to the Freedom of Information Act 2000.

Your request

“Please send the following documents on the [Rusholme] Health Centre...:

- *Asbestos register*
- *Asbestos survey”*

Our response

Under section 1 of the Freedom of Information Act, we confirm that we hold the information requested and our response is as follows.

NHS Property Services exists to help the NHS get the most from its estate and ensure that it is consistently fit for purpose so that healthcare professionals can deliver excellent patient care. With this in mind, we have provided the most current asbestos survey, including the register, for Rusholme Health Centre. (**Attachment 1**)

Please be aware that redactions have been made, on the grounds of either:

- Redacting floorplan information in accordance with section 38 of the Freedom of Information Act 2000. This is a qualified exemption and requires a Public Interest Test be carried out.

Public Interest Test

Section 38 states that:

(1) Information is exempt information if its disclosure under this Act would, or would be likely to-

- (a) endanger the physical or mental health of any individual, or
- (b) endanger the safety of any individual.

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, have either of the effects mentioned in subsection (1).

We believe that disclosure regarding detailed floorplans at our properties may have the potential to endanger the safety of individuals who frequent the site or make sites vulnerable to security threats. Our examination of factors in favour of release of the information or disclosure of the information is outlined below.

Factors in favour of release:

- promoting accountability and transparency by public authorities for decisions taken by them;
- promoting accountability and transparency in the spending of public money;
- allowing individuals, companies and other bodies to understand decisions made by public authorities which affect their lives;
- bringing to light information affecting public health and safety.

Factors in favour of withholding:

- speculative information could mislead the general public and cause them to fail to act or act against their own interests. Confirmation or denial of floorplans would risk the safety of employees or security personnel if disclosure of these details were publicised;
- individuals may interpret security information in order to take advantage of vulnerabilities of healthcare centres, causing harm to themselves or others;
- information that would undermine the functioning of a system established to protect public health or safety, in this instance, the detailed floorplans of a healthcare facility;
- information that would provide intelligence allowing known individuals to be targeted, such as security personnel who are already more at risk in their roles, or patients and staff attending the healthcare facility; or
- information regarding the site layout and facilities provided in the floorplan may lead to a high risk of the site being sabotaged or vandalised.

In considering both the factors in favour of release and factors in favour of withholding, it is clear that the factors in favour of withholding outweigh any benefits to disclosure. The safety of our staff, contractors and patients is paramount to our decision making, and disclosure of security information may endanger lives.

Informative If you as the requester are unsatisfied with the response that you have received, you can request for an internal review. To do this, please email dpo@property.nhs.uk quoting the above reference number in the header. Once an officer has reviewed your request and the response you have received, you will receive a formal response within 20 working days.

If you remain dissatisfied with the outcome of your appeal, you may contact the Information Commissioner's Office (ICO). We advise that the ICO will not respond until you have first gone through our appeal procedure, and you should contact the Commissioner within two months of the outcome. Further information on the Freedom of Information Act 2000 is available at www.ico.org.uk