



FOI REF: 24/014

Eastbourne District General Hospital
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East Sussex
BN21 2UD

1st February 2024

Tel: 0300 131 4500
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FREEDOM OF INFORMATION ACT

I am responding to your request for information under the Freedom of Information Act. The answers to your specific questions are as follows:

I am aware that your NHS Trust is one of many that have piloted the U.S company Palantir's program called "Foundry". The programmes include the "Improving Elective Care Coordination for Patients programme" and the "Dynamic Discharges programme."

Public information showed that several NHS Trusts, including your own organisation, had either paused or suspended the piloting. I was hoping to obtain the following documents with a timeframe of Jan 1st, 2020 to the present day.

- 1) All data protection impact assessment reports specifically linked to the piloting of Palantir's "Foundry" at your NHS Trust.**
- 2) All data sharing agreements between Palantir and your NHS Trust.**
- 3) All documents, including meeting notes, memos, reviews, audits, impact assessments, annual reports specifically mentioning the piloting of Palantir's Foundry and your NHS Trust.**
- 4) All formal and informal communication between your NHS Trust and Palantir representatives (i.e. employees, spokespeople, intermediaries), including but not limited to emails, texts, voice messages, social media exchanges (e.g. WhatsApp, Instagram, Signal, Facebook), and letters.**

East Sussex Healthcare NHS Trust does not centrally record the information requested above. To enable the Trust to provide this information would require a manual review of individual inboxes over an 18-month period, plus some central files of which we estimate would take in excess of 35 hours. We are therefore applying Section 12(1) to your request.

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Section 12(1) of the Act allows a public authority to refuse to comply with a request for information if the authority estimates that the cost of compliance would exceed the 'appropriate limit', as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations). These state that this cost limit is £450 for public authorities which are not part of central government or the armed forces. The costs are calculated at £25 per hour per person regardless of the rate of pay, which means that the limit will be exceeded if the work involved would exceed 18 hours. The Trust estimates that the cost of complying with this request would significantly exceed the above limit.

If I can be of any further assistance, please do not hesitate to contact me.

Should you be dissatisfied with the Trust's response to your request, you have the right to request an internal review. Please write to the Freedom of Information Department (esh-tr.foi@nhs.net), quoting the above reference, within 40 working days. The Trust is not obliged to accept an internal review after this date.

Should you still be dissatisfied with your FOI request, you have the right of complaint to the Information Commissioner at the following address:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Telephone: 0303 123 1113

Yours sincerely

Linda Thornhill (Mrs)
Corporate Governance Manager
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