



## By email

Emmanuel Freudenthal  
[emmanuel.freudenthal@gmail.com](mailto:emmanuel.freudenthal@gmail.com)

Our ref: 22/09/gs/480

28 November 2017

Dear Mr Freudenthal

### **Re: Internal review of case ref 376 - PHE involvement in the Ebola situation**

I refer to your email of 22 September 2017 in which you request an internal review of case reference 376

You asked PHE to provide the following information on 24 August 2017 (case ref 376)

- 1 - The number of ebola samples analysed by each of the PHE labs in each of the countries affected by ebola between 2014 and now (with dates, PHE lab and result)*
- 2 - The current location of all the samples analysed by PHE during that period (in the affected countries as well as UK and abroad)*
- 3 - The Standard Operating Procedure (or similar document) that sets out how PHE decides where to send samples for analysis*
- 4 - All of the funding sources of PHE for each of its activities in the affected countries (broken down for each activity/project)*
- 5 - All the audits and evaluations of the activities/projects of PHE during ebola*
- 6 - List of security incidents relating to ebola in PEH labs in the affected countries and in the UK*
- 7 - The agreements that PHE might have signed with each of the government in the affected countries*
- 8 - Consent forms, if any, of the patients whose blood was sampled by PEH or its partners*

PHE addressed your questions on 22 September 2017 stating that we hold some of the information and detailing which data items are held.

In relation to your question concerning the current location of all the samples analysed by PHE during that period (in the affected countries as well as UK and abroad) PHE applied an exemption. Specifically, under the Act; the Section 24, National Security, exemption of the Freedom of Information Act (FOI), PHE declined to provide any information. PHE explained the basis for our non-disclosure decision advising that the Ebola virus is a dangerous pathogen and any samples or cultures are managed under appropriate security arrangements to prevent misuse.

PHE holds information about the samples it received which are maintained within our Biobank. PHE has been very clear throughout that these remain the property of the Government of Sierra Leone. We have previously advised you that the Ministry of Health of Sierra Leone, on whose behalf we provided these diagnostic services is the custodian of the samples and we cannot release these data to you without their permission.

With respect to your request for consent forms of the patients whose blood was sampled by PHE or its partners, we invoked under the Section 40 –*personal information*, exemption of the FOI Act.

During this internal review we have examined the suitability of the application of the exemptions and consider that they were appropriately applied. As such the information remains exempt from disclosure.

### **Internal review decision**

In summary, PHE contends that in so far as we were obliged to, we fully addressed your original questions.

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the PHE complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely

Anne Smith  
Public Accountability Executive Officer