

**East Hampshire, Fareham and Gosport Primary Care Trusts**

Unit 180, Fareham Reach
166 Fareham Road
Gosport
PO13 0FH

Tel 01329 233447
Fax 01329 234984

26 August 2005

PRIVATE AND CONFIDENTIAL

Code A

Re: The Late Mrs Dulcie Middleton

Thank you for your letter of 10th August 2005.

May I firstly assure you that it is not my intention to be unhelpful; I simply stated what can and cannot be provided to you.

You have requested a copy of the documents that prove that the Primary Care Trust is under a contractual duty not to disclose personal information about staff involved in the provision of care in relation to Mrs Middleton, or any other staff for that matter. This contractual duty is conferred under the General Principles of Data Protection and Confidentiality and the Primary Care Trust has a statutory responsibility to comply with these Principles.

The duty is outlined in the Standard Contract of Employment and I am happy to attach the relevant section of a blank contract for your information. The duty is further described in the Primary Care Trust's Offer of Employment letter to every employee that outlines how personal information will be used and I draw your attention to page 2 where the disclosure of information is qualified. Further information about the Data Protection Act 1998 is available on the Internet at the following address: www.informationcommissioner.gov.uk.

I do not agree that the Primary Care Trust is inviting anyone to embark upon litigation, however we always seek to be helpful by providing information about choices of action. Your letter of 28 July 2005 in fact advised that should a decision be taken to commence proceedings the Trust will be invited to enter into a pre-action protocol and I was responding to that point.

As I stated in my letter of 5th August 2005, **Code A** was sent a full response following investigation of her complaint on 3 October 2002. An offer at that time to meet to discuss the response further was not taken up. I am sorry that for the reasons given above I remain unable to provide you with personal information about staff, but if there is any other action you wish me to take, please let me know.

Yours sincerely

John Wilderspin
Chief Executive
Encs

Copied to FC 16/8

Code A10th August 2005

Mr J Wilderspin
 Chief Executive
 East Hampshire and Fareham and Gosport
 Primary Care Trusts
 Unit 180
 Fareham Reach
 166 Fareham Road
 Gosport
 PO13 0FH

Code A

CAUTION
 Only read the content of
 this communication if you
 are the intended recipient

Telephone:

Email:

Our ref:

My ref: C\DM\NHS\DW\W

Doc: 08102005.2

**Code A**

Dear Mr Wilderspin

Re: The late Mrs Dulcie MiddletonThank you for your letter dated 5th August 2005.

Your response does not cover the various issues raised in my letter of 28th July and I would be grateful if you could apply yourself in responding in a helpful manner in respect of all issues raised.

You appear to be inviting the family to embark on litigation to discover those matters to which the family of a deceased person are entitled and you appear to have scant regard for the fact that the tax payer will pay the cost of the litigation that you appear to be inviting.

If you cannot bring yourself to deal with the death of my aunt and its repercussions in a humane manner please state so and I will desist from corresponding with you further and take the matter up through other sources, including the Minister of Health.

Yours sincerely,

Code A**Code A**



East Hampshire, Fareham and Gosport Primary Care Trusts

Unit 180, Fareham Reach
166 Fareham Road
Gosport
PO13 0FH

Tel: (01329) 233447
Fax: (01329) 234984

FACSIMILE

DATE 26/08/2005

TO FAX NUMBER Code A

FOR THE ATTENTION OF Code A

ORGANISATION EH PCT

FROM Code A

NUMBER OF PAGES 2 (including this one)

If you do not receive all of the pages please telephone the above number immediately.

MESSAGE

Code A

Please phone **Code A** on receipt of this fax.

Irene

The contents of this communication are private.
If you should receive this fax in error please telephone the above number or re-fax.



East Hampshire, Fareham and Gosport Primary Care Trusts

Unit 180, Fareham Reach
166 Fareham Road
Gosport
PO13 0FH

Tel: (01329) 233447
Fax: (01329) 234984

FACSIMILE

DATE 26/08/2005

TO FAX NUMBER Code A

FOR THE ATTENTION OF Code A

ORGANISATION EH PCT

FROM Code A

NUMBER OF PAGES 2 (including this one)

If you do not receive all of the pages please telephone the above number immediately.

MESSAGE

Code A

Please phone Code A on receipt of this fax.

Irene

The contents of this communication are private.
If you should receive this fax in error please telephone the above number or re-fax.

Copied to PC 10/18

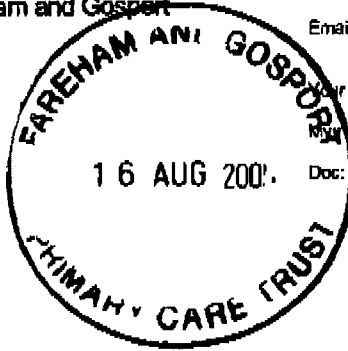
Code A

Code A

CAUTION
Only read the content of this communication if you are the intended recipient

10th August 2005

Mr J Wilderspin
Chief Executive
East Hampshire and Fareham and Gosport
Primary Care Trusts
Unit 180
Fareham Reach
166 Fareham Road
Gosport
PO13 0FH



Telephone:
Email:
Fax ref:
Key ref: GDMNHSIDWW
Doc: 08102005.2

Code A

Dear Mr Wilderspin

Re: The late Mrs Dulcie Middleton

Thank you for your letter dated 5th August 2005.

Your response does not cover the various issues raised in my letter of 28th July and I would be grateful if you could apply yourself in responding in a helpful manner in respect of all issues raised.

You appear to be inviting the family to embark on litigation to discover those matters to which the family of a deceased person are entitled and you appear to have scant regard for the fact that the tax payer will pay the cost of the litigation that you appear to be inviting.

If you cannot bring yourself to deal with the death of my aunt and its repercussions in a humane manner please state so and I will desist from corresponding with you further and take the matter up through other sources, including the Minister of Health.

Yours sincerely,

Code A

Code A

FC
No
reply?

Code A

10th August 2005

Mr J Wilderspin
Chief Executive
East Hampshire and Fareham and Gosport
Primary Care Trusts
Unit 180
Fareham Reach
166 Fareham Road
Gosport
PO13 0FH

Code A

CAUTION
Only read the content of
this communication if you
are the intended recipient

Code A

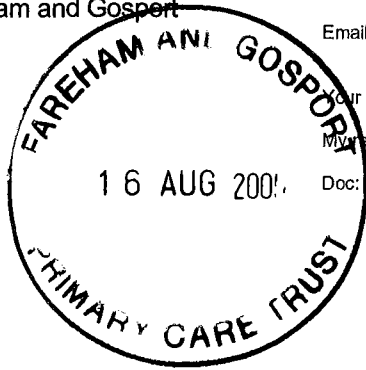
Telephone:

Email:

Your ref:

My ref: CIDMNHS\DWV

Doc: 08102005.2



Dear Mr Wilderspin

Re: The late Mrs Dulcie Middleton

Thank you for your letter dated 5th August 2005.

Your response does not cover the various issues raised in my letter of 28th July and I would be grateful if you could apply yourself in responding in a helpful manner in respect of all issues raised.

You appear to be inviting the family to embark on litigation to discover those matters to which the family of a deceased person are entitled and you appear to have scant regard for the fact that the tax payer will pay the cost of the litigation that you appear to be inviting.

If you cannot bring yourself to deal with the death of my aunt and its repercussions in a humane manner please state so and I will desist from corresponding with you further and take the matter up through other sources, including the Minister of Health.

Yours sincerely,

Code A

Code A