

## Freedom of Information request 238-17

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### Request

I would like to know:

1. How many employees have been investigated for social media breaches in the calendar years 2014, 2015 and 2016? Could I have the figures broken down by year please?
2. What position do/did they hold?
3. Why they were investigated?
4. The outcome of the investigation?

I would like this information displayed in an excel format, if possible.

### Response

1. Please find below the number of employees investigated for social media breaches in the years requested:

2014 – 0  
2015 - <5  
2016 – 8

2. Please note that as NHS Borders is such a small Board to identify the position these employees held or hold could potentially allow individuals to be identified and we would be in breach of the Data Protection Act 1998. We are therefore withholding all other data under Section 38(2)(ii) of the Freedom of Information (Scotland) Act 2002. This is also in accordance with the Code of Practice for Official Statistics any number that is less than five, actual numbers and potentially identifiable information is withheld to help maintain patient confidentiality due to potential risk of disclosure. Further information is available in the ISD Statistical Disclosure Control Protocol.
3. These employees were investigated due to misconduct in line with the NHS Borders Management of Employee Conduct and Use of Social Media Policies.
4. No investigation resulted in any formal action being taken, and in <5 cases informal action was taken.

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or [foi.enquiries@borders.scot.nhs.uk](mailto:foi.enquiries@borders.scot.nhs.uk).

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **238-17** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both

the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.