



Department of Health & Social Care

Freedom of Information Team
Department of Health and Social Care
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www.gov.uk/dhsc

Mr Wynne Jones
cj-editor@biggeesblog.cymru

9 March 2021

Annex A: DHSC's response to initial request dated 22 February 2021
Annex B: Request for internal review dated 22 February 2021

Dear Mr Jones,

FREEDOM OF INFORMATION ACT (FOIA): INTERNAL REVIEW CASE REFERENCE IR 1281190

You originally wrote to the Department of Health and Social Care (DHSC) on 10 December requesting "scientific evidence" regarding Lateral Flow Tests. We responded to you on 22 February (our ref: FOI-1281190), directing you to information in the public domain under section 21 of the FOIA (information accessible to the applicant by other means). A copy of our response, including the full text of your request, is at Annex A.

You subsequently emailed DHSC on 22 February requesting an internal review into the handling of your original request. A copy of your email is at Annex B.

This is an independent review as I was not involved in the original decision. I note your request refers to different variants that were not mentioned in the original FOI. The purpose of an internal review is to assess how your FOI request was handled in the first instance and to determine whether the decision given to you was correct. It is not an avenue through which to seek further information.

I have undertaken discussions with the team that has responsibility for your request, and we have taken the opportunity to consider it again.

Conclusion

After careful consideration of the subject matter, I have concluded that the response you received was compliant with the requirements of the FOIA and I uphold DHSC's use of section 21.

On a discretionary basis you may be interested in the following information that is also available in the public domain:

[Evidence on the accuracy of lateral flow device testing - GOV.UK \(www.gov.uk\)](#)

[Innova Lateral Flow SARS-CoV-2 Antigen test accuracy in Liverpool Pilot: preliminary data, 26 November 2020 - GOV.UK \(www.gov.uk\)](#)

[SARS-CoV-2 lateral flow antigen tests: evaluation of VUI-202012/01 - GOV.UK \(www.gov.uk\)](#)

The review is now complete.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner (ICO) for a decision. The ICO can be contacted at:

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

<https://ico.org.uk/concerns>

Yours sincerely,

Charlene Carter
Casework Manager
Freedom of Information Team
FreedomofInformation@dhsc.gov.uk

Annex A: DHSC's response to initial request

Mr Wynne Jones
cj-editor@biggeesblog.cymru

22 February 2021

Dear Mr Jones,

Freedom of Information Request Reference FOI-1281190

Thank you for your request dated 10 December in which you asked the Department of Health and Social Care (DHSC):

"In view of the reply received my request for information under the Freedom of Information Act 2000 is now redrafted as follows. I would be grateful if you could provide me with a copy of the scientific evidence available to D H S C confirming the Lateral Flow test is approved as a diagnostic tool for the detection of SARS-CoV-2 virus [purportedly the cause of Covid 19 infection]."

Your request has been handled under the Freedom of Information Act (FOIA).

I can confirm that the Department holds information relevant to your request. However, as the information held by the Department is in the public domain we will, under Section 21 of the FOIA (information accessible to the applicant by other means), refer you to the published source.

<https://www.gov.uk/government/publications/assessment-and-procurement-of-coronavirus-covid-19-tests/lateral-flow-devices-results>

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the address at the top of this letter, or the email address at the end of this letter.

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF
<https://ico.org.uk/concerns>

Annex B: Request for internal review

Wynne Jones cj-editor@biggeesblog.cymru

22 February 2021

Dear Ed Franklyn

Subject: C J 85: Scientific evidence that the Lateral Flow Test can detect SARS-CoV-2 virus -
Your ref: FOI-1281190

Thank you for responding to my request for information in your letter dated 22 February 2021, as attached. As the hyper-link only directs me to summary information and not scientific evidence that the lateral flow test can detect SARS-CoV-2 virus, including the variants listed below identified in the UK, I regret I must request that you examine the matter in more detail under your internal review process. SARS-CoV-2 variant - VUI 202102/03 - Variant under investigation. SARS-CoV-2 variant - VUI 202101/01 - Brazil Variant under investigation. SARS-CoV-2 variant - VOC 202112/02 - South Africa Variant of Concern. SARS-CoV-2 variant - VOC 202101/02 - Brazil Variant of Concern.

In responding to my request for information, I would expect a copy of a scientific report to be provided setting out the evidence, presented to D H S C, confirming that the "lateral flow test" can be used as a diagnostic tool to detect SARS-CoV-2 virus and variants now found in the UK.

I look forward to the outcome of your internal review at your earliest convenience. If you require further clarification you are welcome to contact me at any time. Thank you.

Yours sincerely

Wynne Jones