Reference Number:	FOI202223/528
From:	Private Individual
Date:	13 January 2023
Subject:	Number of deaths and Waiting list times

Please provide me with the following information from your trust. In all references to years I am asking for the information from the entire calendar year (January to December inclusive).

In part 1, if these numbers are only available for patients who have not been identified as having learning disabilities, that is acceptable. The request is based on this announcement by the Department of Health and Social Care, and the 'Learning from Deaths Dashboard' template announced by NHS England.

In part 4, I recognise that it is not possible to determine the cause of death of the patient. That is not what I am requesting.

For all parts of this request, if the data to the end of 2022 is not available, then please include as much of the year as possible.

If the trust experienced any merger in the timeframes required, please include if possible the results for the separate defunct trusts before the merger, and then the results for the new trust.

Q1   The total number of deaths considered more likely than not to have occurred due to problems in care in the trust for each quarter for which records are available

A1   Based on the date range 1st January 2018 to 31st December 2022

Year Date Range	Quarter	Totals
2018/2019	Q1	0
	Q2	0
	Q3	0
	Q4	Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.
2019/2020	Q1	Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.
	Q2	Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.
	Q3	0
	Q4	0
2020/2021	Q1	0
	Q2	0
	Q3	0
	Q4	0
2021/2022	Q1	0

	Q2	0
	Q3	0
	Q4	0

Q2   The highest number of days of delayed discharge in your trust in of 2018, 2019, 2020, 2021 and 2022

A2   Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data.

Q3   The longest waiting time recorded in 2018, 2019, 2020, 2021 and 2022 for a patient to receive the result of each of the following diagnostic tests:
   a. Magnetic Resonance Imaging test (MRI)
   b. Echocardiogram
   c. Non-obstetric ultrasound

A3   Information exempt under Section 21 of the Freedom of Information Act 2000 - 'Information reasonably accessible to the applicant by other means'.

This information is available through NHS England via the following links-

https://www.england.nhs.uk/statistics/statistical-work-areas/rtt-waiting-times/rtt-data-2018-19/
https://www.england.nhs.uk/statistics/statistical-work-areas/rtt-waiting-times/rtt-data-2019-20/#Mar20
https://www.england.nhs.uk/statistics/statistical-work-areas/rtt-waiting-times/rtt-data-2020-21/#Mar21
https://www.england.nhs.uk/statistics/statistical-work-areas/rtt-waiting-times/rtt-data-2021-22/#Mar22
https://www.england.nhs.uk/statistics/statistical-work-areas/rtt-waiting-times/rtt-data-2022-23/

Q4   The longest period of time that a patient spent on a waiting list for a non urgent operation in 2018, 2019, 2020, 2021 and 2022. For each year, please also include, if possible, which category of operation is concerned.

A4   Information exempt under Section 21 of the Freedom of Information Act 2000 - 'Information reasonably accessible to the applicant by other means'.

This information is available through NHS England via the following links-

https://www.england.nhs.uk/statistics/statistical-work-areas/rtt-waiting-times/rtt-data-2018-19/
https://www.england.nhs.uk/statistics/statistical-work-areas/rtt-waiting-times/rtt-data-2019-20/#Mar20
https://www.england.nhs.uk/statistics/statistical-work-areas/rtt-waiting-times/rtt-data-2020-21/#Mar21
https://www.england.nhs.uk/statistics/statistical-work-areas/rtt-waiting-times/rtt-data-2021-22/#Mar22
https://www.england.nhs.uk/statistics/statistical-work-areas/rtt-waiting-times/rtt-data-2022-23/

Q5   The numbers of patients removed from outpatient or elective care waiting lists with a removal reason of death, for 2018, 2019, 2020, 2021, and 2022.

A5   Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data.

We don't routinely take people off the waiting list for this reason, as our deceased protocol cancels everything in one go to ensure that the patients' families don't receive further correspondence

The Trust is unable to respond to all or specific elements of your request where the response would indicate five or less individuals. The Trust is withholding this information under Section 40 (Personal Information) of the Freedom of Information Act (FOIA) 2000 to reduce the risk of any individuals being identified. The Trust is of the view that disclosure of such information would significantly increase the risk of individuals being identified and as such would constitute a breach of their personal data.

The Trust has applied exemption Section 40(2) of the FOIA and is therefore withholding the information as disclosure which may identify an individual would breach their rights under the Data Protection Act 2018. The grounds for application of this exemption include:

- Any data relating to patients or staff is third party data, furthermore health data is classified as sensitive personal data within the Data Protection Act 2018. As such, Section 40 (2) of the FOIA applies along with the Trusts duty of confidentiality. Therefore under s.2 (3) (f) (ii) of the FOIA, there is an absolute exemption from disclosure on the grounds that it would contravene the First Data Protection Principle.

- The Trust has a duty under the Data Protection Act 2018 and specifically the First Data Protection Principle to ensure personal data regarding staff and patients is processed fairly and lawfully. Disclosure of such data which may identify an individual, either through the data alone or other data in conjunction with that data which may identify an individual would therefore breach this principle.

- The Data Protection Act 2018 defines sensitive personal data to include data relating to the "physical or mental health or condition" of a person. Any such information about specific individuals falls within this category and disclosure of such data including statistical data, with any potential likelihood of identification would breach the Data Protection Act 2018.