

Reference Number: FOIAH2425/630
From: Private Individual
Date: 04 February 2025
Subject: How many patients were treated that should have paid for their treatment

Q1 Please could you state how many patients were treated by your Trust in the last financial year (23/24) who were patients that should have paid for their treatment because they were not entitled to free NHS hospital care?

A1 Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.

Q2 How many of these patients who should have paid for their treatment had (i) elective treatment and (ii) non-elective treatment?

A2 Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.

Q3 Of those patients who were billed for treatment how many were (i) for elective treatment and the bill is still wholly or partly outstanding and what is their cumulative value (the unpaid balance) in total and (ii) how many were for non-elective treatment and the bill is still wholly or partly outstanding what is their cumulative value (the unpaid balance) in total?

A3 i. Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.
ii. Zero

Q4 Please provide a nationality breakdown of the patients who have unpaid bills against them for treatment in 23/24 showing the number of patients from each country.

A4 Information not held – Zero patients have unpaid bills

Q5 Please state the amount of the largest unpaid bill for a chargeable patient for (i) elective and (ii) non-elective treatment in the last financial year (2023/24), giving the amount that is due, the speciality or specialities involved in treating those patients, and the patients' country of residence.

A5 Zero

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.