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Request for Information Reference: 01.20.20

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Email only

31 January 2020

Freedom of Information Act 2000 – Request for Information

Thank you for your request for information received on 2nd January 2020 in relation to the County Durham and Darlington NHS Foundation Trust (Trust). We are dealing with your request under the provisions of the Freedom of Information Act 2000.

You requested information regarding Never Events. Specifically you requested information as follows:

Under the Freedom of Information Act I request the following:

1) The number of instances in which a surgical instrument has been left inside a patient's body following a surgical procedure between 2015 and 2019 (up to present day and itemised by year).

- For each instance, please list:

a) The type of instruments found during this time and where in the body they were discovered.

b) The surgical procedure that was taking place when instrument was left inside body.

c) The patient's outcome, i.e. if anyone has become seriously ill as a result of leaving an surgical instrument inside the body of a patient or if anyone has died as a result of leaving a surgical instrument inside the body of a patient. (if this exceeds the scope of the request please inform me before omitting it).

d) How many people have taken legal action against the Trust as a result of a surgeon leaving a surgical instrument inside the body of a patient? (if this exceeds the scope of the request please inform me before omitting it).

County Durham and Darlington NHS Foundation Trust replies:

Data criteria based on the Never Event Framework definition of a retained foreign object post procedure as outlined below:-

Retained foreign object post procedure

Retention of a foreign object in a patient after a surgical/invasive procedure.

‘Surgical/invasive procedure’ includes interventional radiology, cardiology, interventions related to vaginal birth and interventions performed outside the surgical environment – for example, central line placement in ward areas

‘Foreign object’ includes any items subject to a formal counting/checking process at the start of the procedure and before its completion (such as for swabs, needles, instruments and guidewires) **except** where items:

- not subject to the formal counting/checking process are inserted any time before the procedure, with the intention of removing them during the procedure but they are not removed
- subject to the counting/checking process are inserted during the procedure and then intentionally retained after its completion, with removal planned for a later time or date as clearly recorded in the patient’s notes
- are known to be missing before completion of the procedure and may be inside the patient (e.g. screw fragments, drill bits) but action to locate and/or retrieve them is impossible or more damaging than retention.

The number of instances in which a surgical instrument has been left inside a patient's body following a surgical procedure between 2015 and 2019. Reported in 2015 – 0			
Reported in 2016 – 0			
Reported in 2017 – 3			
Type of instrument found	Where in the body they were discovered	Surgical procedure taking place	Patient’s outcome
Piece of liposuction cannula	Right lower thoracic region	Gynaecomastia	Moderate harm: patient had surgery for removal of foreign object
Plastic sheath from mini touch device	Uterine wall into peritoneal cavity	Hysteroscopy and endometrial ablation	Severe harm: The patient was admitted to ITU and had potential long

			term trauma to bowel
Tampon	Vagina	Episiotomy	No harm - tampon removed four days later
Reported in 2018– 0			
Reported in 2019 – 0			

Legal Services response to question (1d) is as follows:

We have undertaken a search of all claims received from 01/01/2015 to 31/12/2019, coded to “Surgical Foreign Body Left in Situ” on our system and confirm there have been two claims received with regard to surgical instruments left inside a patient’s body.

In line with the Information Commissioner’s directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log. Therefore, a version of our response which will protect your anonymity will be posted on the County Durham and Darlington NHS Foundation Trust website.

If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me on the above telephone number or at the above address.

If you are unhappy with the way your request for information has been handled, you can request a review by writing to:

The Chief Executive
 County Durham & Darlington NHS Foundation Trust
 Darlington Memorial Hospital
 Hollyhurst Road
 Darlington
 DL3 6HX

If, you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at:

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

Telephone: 0303 123 1113

Website: www.ico.gov.uk.

There is no charge for making an appeal.

Yours sincerely

Joanna Tyrrell
Freedom of Information Officer