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Request for Information Reference: 02.22.17

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Email only

10th February 2022

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 8th February 2022 in relation to County Durham and Darlington NHS Foundation Trust (the Trust). Your request has been processed under the provisions of the Freedom of Information Act 2000 and I am now able to provide you with a response.

Your request was in relation to stillbirths and I am providing the following information in response to your specific questions:

We are interested in looking at the stillbirths in term pregnancies over a period of one year (financial year 2020-2021).

We have a template .xls file which will allow for the data to be filled in easily. If your Health Board/NHS trust has more than one maternity unit, the data for all can be amalgamated in the table.

Please find enclosed the table you requested to be completed.

Please note, due to the small number of stillbirths the Trust cannot break this information down as requested, as to disclose this information would breach one of the data protection principles contained in the Data Protection Act 2018 (which supplements the EU General Data Protection Regulation (GDPR) which came into effect in May 2018) in that it would render it possible to identify the individuals. We do not believe that it would be fair to the individuals for their identities to be made public. We therefore believe that the exemption contained within section 40 of the Act is engaged.

The Trust has assessed the risk that the identities of the individual patients could be inferred, and judges that possibility to be real. It has therefore taken the decision to withhold this information under Section 40 of the Freedom of Information Act. The Trust is relying, in part, on the absolute exemption available under Section 40(3) (a)

(i), where information would be shared in contravention of the principles in the Data Protection Act and the qualified exemption in Section (40) (3) (a) (ii), where the numbers published could allow the identify of individual patients to be inferred causing damage or distress to themselves or their families. The Trust has weighed the public interest in preventing that distress with the public interest in transparency and has concluded that the former interest carries greater weight, in particular because it is not necessary to disclose specific numbers relating to individuals for the reader to understand the approach taken by the Trust in preventing the transfer of Covid-19 from patient to patient.

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 on the Trust's website. However please be assured that we anonymise all responses prior to adding them to the disclosure log.

I hope that this response has provided you with the information you had requested. If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me by telephone or in writing. If however, you are dissatisfied with the way in which your request has been handled and would like an internal review, you will need to contact me in writing at the above address or via cdda-tr.cddftfoi@nhs.

If you remain dissatisfied with our response following an internal review you have the right to appeal to The Information Commissioner at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. More information is available on their website; www.ico.gov.uk.

Yours sincerely
Corporate Records and Freedom of Information Facilitator