

**Information Governance**

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14 July 2021

**Our reference: FOI DA3853**

I am responding to your request for information received 18 June 2021. This has been treated as a request under the Freedom of Information Act 2000.

When an organisation receives a request for information under the Freedom of Information Act, it is allowed under the Act to apply a blanket exemption to this where it has concluded that providing a response would take in excess of eighteen hours. When the cost of compliance and extracting information would exceed eighteen hours, a cost limit of £450 can be applied. This is explained in Section 12 of the Freedom of Information Act 2000 and is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to eighteen hours work.

Having reviewed your request, the Trust has noted that it would not be able to respond to all the information requested within the eighteen hours specified in the Freedom of Information Act 2000.

In order to assist you with your request, I have advised below the timing each question would take in order to assist you to refine your request. If you wish to refine your request to comply with the 18 hour time limit, please do get in touch.

I am now enclosing a response which is attached to the end of this letter. Please do not hesitate to contact me on the contact details above if you have any further queries.

Yours sincerely,

Keshia Harvey  
Information Governance Manager

If you are dissatisfied with the Trust's response to your FOIA request then you should contact us and we will arrange for an internal review of this decision.

If you remain dissatisfied with the decision following our response to your complaint, you may write to the Information Commissioner for a decision under Section 50 of the Freedom of Information Act 2000. The Information Commissioner can be contacted at:

Chair: Mark Lam

Chief Executive: Paul Calaminus

We care

We respect

We are inclusive

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

Tel: 0303 123 1113  
Web: [www.ico.org.uk](http://www.ico.org.uk)

**Please note that the data supplied is not allowed to be re-used and/or published without the explicit consent of East London NHS Foundation Trust. Please contact the signatory to request permission if this is your intention**

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**Request:**

Dear Sir/Madam,

With reference to the following reporting guidelines set out by NHS Improvement (see page 15, prescribed information 27.1 to 27.5).

**Question 1.** Please tell me separately for 2019/20 and 2020/21 the number of patients who have died during the reporting period

Answer: This information can be provided within the 18 hour timeframe.

**Question 2.** The number of deaths included in 2019/20 and 2020/21 which the provider has subjected to a case record review or an investigation to determine what problems (if any) there were in the care provided to the patient

Answer: This information can be provided within the 18 hour timeframe.

**Question 3.** An estimate of the number of deaths in 2019/20 and 2020/21 for which a case record review or investigation has been carried out which the provider judges as a result of the review or investigation were more likely than not to have been due to problems in the care provided to the patient, with an explanation of the methods used to assess this.

**Question 4.** Please provide me with a brief overview of the FIRST FIVE incidents (in 2020/21 preferably or from 2019/20 if this is not yet available) identified in question 3 (i.e. cases of deaths that were more likely than not caused by problems in care), withholding any identifying information that would run into a Section 40 exemption.

**Question 5.** Finally, can you please summarise what the Trust learnt and what actions have been taken as a result of the aforementioned cases/investigations.

Answer: The Trust has reviewed questions 3, 4 and 5 of your request for information under the Freedom of Information Act 2000. In order to collate this information, staff would have to review over 2400 case record reviews and Serious Incident reviews to establish whether it was found that there were problems in the care provided to the patient.

Therefore, the Trust is unable to comply with this particular part of your request as the cost of compliance and extracting your exact requirements would exceed the appropriate cost limit of £450 which is specified in Section 12 of the Freedom of Information Act 2000. This is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to 18 hours work.