

Freedom of information request – our ref 17/18 3309

Dear Sir or Madam, please can you consider the following under the Freedom of information act.

For the past three financial year (2014-15, 2015-16, 2016-17) please can you provide me from the trust's maternity department (or departments if covering more than one acute medical facility):

The number of births, number of neonatal deaths and number of Serious untoward incidents within the department.

	Registerable Babies Births	Neonatal Deaths	SUI's
2014 - 2015	6428	5 (4 congenital anomalies, 1 extreme prematurity)	1
2015 - 2016	6267	2 (1 hydrops, 1 prematurity with lung hypoplasia)	4
2016 - 2017	6412	5 (2 prematurity, 1 hydrops, 1 HIE, 1 congenital anomalies)	3

The neonatal death data only takes into account neonates who have died while at Mid Yorkshire Trust, not those who have been transferred and died elsewhere subsequently.

How many investigations were undertaken by the trust into deaths and SUIs in the department?

Please refer to above response for number of SUI investigations.

The numbers of RCA investigations undertaken by the Maternity Department are included in the table below:

	Stillbirths	Neonatal Deaths	Maternal Deaths
2014-2015	2	3	0
2015-2016	5	0	2
2016-2017	7	4	0

How many delivering mothers or newborn children (within one week of birth) were relayed to another hospital by the department due to complications or the need for specialist treatment?

This would be difficult to answer with accuracy, as the systems do capture where women are transferred to but often women are transferred to other hospitals to be with their babies, not because they require specialist care and treatment.

Neonatal transfers –

2014 – 15 34. Breakdown – 19 surgical, 9 prematurity, 2 HIE, 3 PPHN, 1 other.

2015 – 16 – 51. Breakdown – 24 surgical, 14 prematurity, 7 HIE, 2 PPHN, 3 congenital anomaly, 1 other.

2016 – 17 – 50. Breakdown – 16 surgical, 12 prematurity, 6 HIE, 7 PPHN, 2 congenital anomaly, 7 other.

For the last financial year only can you please provide me with redacted copies of all investigation reports made by the trust after neonatal deaths and SUIs.

Due to potentially identifiable cases and the sensitive nature of investigations the Trust are not able to provide this information. And have therefore applied Section 40(2) of the FOI Act and the Data Protection Act 1998.

Many thanks.

Response issued by
FOI Lead on behalf of The Mid Yorkshire Hospitals NHS Trust
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August 2017

Freedom of Information Act 2000: Section 40 Personal information.

- (1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.
- (2) Any information to which a request for information relates is also exempt information if—
 - (a) it constitutes personal data which do not fall within subsection (1), and
 - (b) either the first or the second condition below is satisfied.
- (3) The first condition is—
 - (a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—
 - (i) any of the data protection principles, or
 - (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and
 - (b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.
- (4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject's right of access to personal data).
- (5) The duty to confirm or deny—
 - (a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and
 - (b) does not arise in relation to other information if or to the extent that either—
 - (i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 1998 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or
 - (ii) by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(a) of that Act (data subject's right to be informed whether personal data being processed).
- (6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 1998 shall be disregarded.
- (7) In this section—

“the data protection principles” means the principles set out in Part I of Schedule 1 to the Data Protection Act 1998, as read subject to Part II of that Schedule and section 27(1) of that Act; “data subject” has the same meaning as in section 1(1) of that Act; “personal data” has the same meaning as in section 1(1) of that Act.