

By email



Ref: 09/12/10/lk/375

Denzil Holles

XXXXXXXXXXXXXXXXXXXX@XXXXXXXXXXXXXXXX.XXX

18 December 2009

Health Protection Agency

Communications

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Dear Denzil Holles

Re: H1N1 mortality data

Thank you for your Freedom of Information request dated 10 December 2009, regarding H1N1 mortality data. Under section 1 (1) (a) of the Act I can confirm that the HPA does hold some of the information you have requested.

The Chief Medical Officer (CMO) published his figures on *Mortality from pandemic A/H1N1 2009 influenza in England: public health surveillance study* on the 11 December 2009 in the British Medical Journal (BMJ)

http://www.bmj.com/cgi/content/full/339/dec10_1/b5213

In accordance with section 21 – *information accessible to applicant by other means*, this information is exempt from disclosure.

In accordance with both the Department of Health and General Medical Council's guidelines the HPA maintains a duty of confidentiality to deceased individuals. Therefore, the HPA will not consider the release of a line listing as requested as this is too identifying and may give rise to possible deductive disclosure. In accordance with the Freedom of Information Act section 40 – *personal information*, we are not obliged to release personal information. Moreover section 41 of the Act exempts information provided in confidence. We received this information for the purpose of surveillance and any other use may breach our obligation to maintain the confidentiality of this information.

The HPA are reconciling its data with CMOs data and plan to publish an update on the figures in the New Year which will include more detailed information on risk groups. We are not in a position to give you the information you request until we have undertaken that further work. Therefore, in accordance with section 22 of the Act – *future publications*, this information is exempt for disclosure.

I hope you have found this information useful, however, if you are dissatisfied with this response and would like a copy of the HPA complaints procedure then please

contact Mr George Stafford, Complaints Manager at: Health Protection Agency, 61 Colindale Avenue, London NW9 5EQ.

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the HPA complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Please contact me if you require any further information or assistance.

Yours sincerely

Leigh Kelly
Freedom of Information Officer
Health Protection Agency