

Mrs D Havercroft

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14 February 2011

Dear Mrs Havercroft,

Thank you for your Freedom of Information Act request received on the 11 January, regarding independent investigations. I apologise for the delay in responding to you.

You asked NHS South East Coast, the strategic health authority (SHA) for Kent, Surrey and Sussex to provide details relating to each independent inquiry and investigation commissioned by the SHA since the 1 January 2006.

The specific details that you requested were:

- Subject of the inquiry/investigation
- Name of the company/organisation that conducted and/or managed the inquiry/investigation
- Names of the panel members of the inquiry/investigation
- Name of the Panel chair
- Duration of the inquiry/investigation
- Total cost of the inquiry/investigation

As the local strategic health authority (SHA), NHS South East Coast is responsible for determining when an independent investigation is necessary and appointing an independent investigation team where it is deemed to be so. We also agree the terms of reference for independent investigations and publish the resulting reports, ensuring that there is a process for subsequent action to address any issues raised.

We publish independent investigation reports on our website at
<http://www.southeastcoast.nhs.uk/About%20Us/Independent-investigations.htm> .

NHS South East Coast has commissioned five independent investigations relating to mental health incidents during the period which falls within the scope of your request and these are listed in the table attached. The reports from the first two investigations listed are available on our website via the link above.

The last three independent investigation reports have not yet been published and two of these investigations are ongoing.

We believe that the names of the chairs and panel members for each of the unpublished investigations are exempt from release at the present time under Section 22 of the Freedom of Information Act. This states that information can be exempt from disclosure if it is held by a public authority with a view to its publication, by the authority or any other person, at a future date.

We have considered the public interest test in determining whether this exemption applies. We recognise that there is a public interest in making key information available about how independent investigations have been managed, in order to provide assurance to the public that they have been conducted in the appropriate manner. This is why we make the reports about each investigation available on our website.

We do however feel that there is a public interest in withholding the details of those key individuals who are involved in conducting the independent investigations, until such time as this information is published in the final investigation report. This is to ensure that there is no risk that early identification of the panel members could prejudice the outcome of the investigation before these details are finalised and published.

We also believe that the subject of these three investigations is exempt from release at this time under Section 22 of the Freedom of Information Act. We do recognise that there is a public interest in making information available about the nature of serious incidents that require independent investigation. However, we believe that the stronger public interest is in making this information available as part of a full report published following the outcome of an investigation. This ensures that the information can be presented in the appropriate format and with the full findings from the investigation; so that the public can have the necessary assurance the NHS has taken the appropriate actions in response to the incident.

I hope this information is helpful, but if you are unhappy with this response please let us know, giving your reasons. It will then be considered by one of our executive directors who will respond in writing. This letter will also include details about how to contact the Information Commissioner.

We would welcome your feedback on how you feel we have managed your request and whether there is anything you think we could have done to improve our processes. If you have any comments that you wish to pass on, please send them to foi@southeastcoast.nhs.uk.

Yours sincerely,

Sarah Whitehead
Senior Communications Officer (Public Affairs)
NHS South East Coast