

Our Ref: FOI 2371

14 April 2022

Anna Piaseczna
By email: request-844489-a3ff6f45@whatdotheyknow.com

Wynford House
Lufton Way
Lufton
Yeovil
Somerset
BA22 8HR

Tel: 01935 384000
Fax: 01935 384079

somccg.foi@nhs.net

Dear Ms Piaseczna

Freedom of Information Request (FOI 2371)

Thank you for your request dated 4 April 2022 under the Freedom of Information Act 2000. Having reviewed and considered your request, I am able to confirm that under section 1(1) (a) of the Act, Somerset CCG holds the requested information, in part, and (b), we are providing our response as follows.

You requested the following information:

Question 1 - How many children under 18 do you have currently living in inpatient units for whom you submit data to the Mental Health Services Dataset?

We do not hold information to respond to this element of your request. You may wish to contact our mental health provider [Somerset NHS Foundation Trust](#) for more information about patients treated in their in-patient units.

Question 2 - How many young people aged 18- 24 do you have currently living in inpatient units who you submit data on to the Mental Health Services Dataset?

Please see our response to Question 1.

Question 3 - How many children under 18 from do you have currently living in inpatient units who under the Mental Health Services Dataset are categorised as children with learning disabilities/autistic spectrum disorder?

We do not currently have any children under the age of 18 living in in-patient units and categorised as children with learning disabilities/ Autistic spectrum disorder.

Question 4 - How many young people aged 18- 24 do you have currently living in inpatient units who under the Mental Health Services Dataset are categorised as children with learning disabilities/autistic spectrum disorder.?

Section 40 exemption – personal information

Where very small numbers of patients (fewer than 5) with learning disabilities/ Autistic Spectrum Disorder have been identified within this age group and are currently at in-patient units in Somerset, there could be the potential risk of identification of individuals, and as such we consider this to be confidential personal information.

One of the conditions listed in section 40 (3) (a) (i), is where the disclosure of the information would contravene any of the principles of the UK General Data Protection Regulation (UK GDPR) 2016 and Data Protection Act 2018 (DPA). In order to rely on the exemption provided by section 40, the information being requested must constitute the personal data as defined by UK GDPR/DPA which defines personal data as:

'...any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person'

After due consideration given to this matter, we decline to disclose the exact number of patients in the 18 to 25 year age group who have both learning disabilities/ Autistic Spectrum Disorder and are in an in-patient unit in Somerset as the figure is fewer than 5, and to do so would breach specific UK GDPR/DPA principles. We have applied the exemption under sections 40 (2) and 40 (3) (a) (i) of the Freedom of Information Act 2000. If you would like further detail as to our analysis of the principles of the UK GDPR/DPA that would be contravened by disclosure, please do not hesitate to contact us.

Question 5 - How many children under 18 do you have currently living in inpatient units who under the Mental Health Services Dataset are categorized as:

- a) receiving active treatment, and working towards discharge or with a discharge plan in place, or**
- b) delayed transfer of care: no community option or onward placement available or deliverable?**

Please see our response to Question 1.

Question 6 - How many young people 18-24 do you have living in inpatient units who under the Mental Health Services Dataset are categorized as:

- a) receiving active treatment, and working towards discharge or with a discharge plan in place or,**
- b) delayed transfer of care: no community option or onward placement available or deliverable?**

Please see our response to Question 1.

Appeal

If you have any further queries, require any clarification, or have any concerns regarding the way in which your request has been handled and/or to request an internal review, please do not hesitate to contact me.

If you remain dissatisfied, you can appeal to the Information Commissioner under section 50 of the Act.

The Information Commissioner's Office can be contacted at:

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

Yours sincerely

Signature Withheld

James Rimmer
Chief Executive