

Date 13 May 2021
Our Ref 2021-000568
Enquiries to phs.foi@phs.scot

Dear Mark McKee,

Freedom of Information Reference: 2021-000568

Further to your request for information dated 5th May 2021 I am writing to advise you that although Public Health Scotland holds the information you have requested, it is being withheld under the Freedom of Information (Scotland) Act 2002.

"Could you please provide the current total number of deaths of any individual who has died within 28 days of their first or second covid vaccine, from the commencement of the vaccination programme until the most recent figures available?"

I have established that under Section 27(1) of the Freedom of Information (Scotland) Act 2002 although Public Health Scotland does hold the information you have requested it is exempt, as it will be published within a 12-week period. We considered whether there was an overriding weight and benefit to the public in providing the information to you, ahead of the planned publication date. We accept that there is a public interest in providing information in a transparent and open manner as an organisation. Overall, we concluded that the overriding responsibility is to adhere to the planned schedule and make all information available to all stakeholders at the same time.

A further resource is available at the regulator's website. You can search the decision and see where other bodies have used the exemption.

https://www.itspublicknowledge.info/ApplicationsandDecisions/Decisions/Decision_Listing.aspx

If you are unhappy with our response to your request, you have the right to request a review. Your request should be made within 40 working days of receipt of this correspondence, and we will reply within 20 working days of receipt. The review will be undertaken by a reviewer who was not involved in the original decision-making process. The reviewer can be contacted as follows:

The FOI Reviewer
Public Health Scotland
Gyle Square
1 South Gyle Crescent
Edinburgh
EH12 9EB
Email: phs.foi@phs.scot

If our decision is unchanged following a review and you remain dissatisfied, you have the right to make a formal complaint to the Scottish Information Commissioner within six months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/Appeal. If you remain dissatisfied with the Commissioner's response, you then have the option to appeal to the Court of Session on a point of law.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Phil Couser', on a light-colored rectangular background.

Phil Couser
Director of Data Driven Innovation
Public Health Scotland