

**2021-460 - FOI Request - Serious Incident Investigations**

**Your response:**

Question: Please supply full copies of all reports from Serious Incident Investigations/ Serious Untoward Incident Investigations, Patient Safety Reviews and Root Cause Analysis investigations related to nosocomial Covid-19 acquired in Royal Bolton Hospital resulting in death.

Your Answer: We cannot disclose this information, Investigations/ as disclosure of this level of Incident Investigations, Patient detail could lead to the identification of individuals.  
Refused under section 40

Secondly, Section 40 exemption of the FoI Act does not apply in this case as, the NHS Serious Incident Framework, states:

"4.4. Final report and action plan"

"Serious incident investigation reports must be shared with key interested bodies including patients, victims and their families. It is recommended that reports are drafted on the basis that they may become public, so issues concerning anonymity and consent for disclosure of personal information are important and should be considered at an early stage in the investigation process."

If the Serious Incident report(s) must be redacted to remove confidential information such as patient names, that is understandable and correct, but the public does have a right to see the full reports (redactions aside), so please supply them.

**Feedback following Internal Review:**

We are not prepared to share Serious Incident Investigations with a member of the public because whilst a copy could be redacted in terms of patient/staff identifiers (and are indeed written to safeguard) identity. It is the actual circumstances and events of a Serious Incident that can make it unique and thus identifiable and it is this which could lead to the identification of the patient or staff.

To redact a Serious Incident report to the point that the details of the incident become opaque in order to protect the identities of persons the report loses its inherent value for learning. There is a risk that the identity of the patient could be deduced due to the type of incident and that would be a breach of UK GDPR and is refused under section 40 of the FOI Act 2000.