

Ref: FOIA Reference 2020/21-093

**Royal Stoke University Hospital**  
**Data, Security and Protection**  
Newcastle Road  
Stoke-on-Trent  
Staffordshire  
ST4 6QG

Date: 24<sup>th</sup> June 2020

Email [foi@uhnm.nhs.uk](mailto:foi@uhnm.nhs.uk)

Dear

I am writing in response to your emails dated 16<sup>th</sup> June and 18<sup>th</sup> June 2020 requesting information under the Freedom of Information Act (2000) regarding antibody tests and BAME deaths

On our acknowledgment we added the following statement:

**The University Hospitals of North Midlands Trust is committed to the Freedom of Information Act 2000.**

**However, the NHS is facing unprecedented challenges relating to the coronavirus (COVID-19) pandemic at the current time. Understandably, our resources have been diverted to support our front-line colleagues who are working tremendously hard to provide care for our patients, and to those in need of our services.**

**We strive to be transparent and to work with an open culture. But at this time, whilst care of our patients and the safety of our staff takes precedent, it is likely that responses to some requests for information will be delayed. We apologise for this position in advance, and will endeavour to provide you with as much information as we can, as soon as we are able.**

**The Information Commissioners Office has recognised the current situation in the NHS.**

On 18<sup>th</sup> June 2020 we contacted you via email to inform you that under section 12 of the FOI Act we would be aggregating your two requests; (former reference for request #1 = 089-2021)

The section 12 exemption states:

The authority can combine related requests received within a period of 60 consecutive days from:

- The same person or
- People who appear to be acting in concert or in pursuance of a campaign

On 16<sup>th</sup> June we contacted you via email as we required a time frame in order to collate the information. (Request #1)

**As of 24<sup>th</sup> June our request for clarification for request number 1 has not been responded to, therefore in order to not delay request number 2 we are unable to proceed with request number 1**

As of 1<sup>st</sup> November 2014 University Hospitals of North Midlands NHS Trust (UJNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

## **Request #1**

**Q1 I am writing to you under the Freedom of Information Act 2000 to request the following information:**

**Of the Covid-19 antibody tests conducted to date among staff at your Trust, please provide information on:**

- **The proportion of staff that are antibody positive**
- **The proportion of BAME staff that are antibody positive**

**A1** UJNM is unable to answer the above as our request for clarification (16/06/2020) has been unanswered, therefore this request is closed. We will re-open if you contact us again with the clarification requested above.

## **Request #2**

**Q1 I am writing to you under the Freedom of Information Act 2000 to request the following information:**

**How many members of staff (full-time and part-time) directly employed by your Trust have died after testing positive for Covid-19?**

**A1** We are unable to provide the information you require in the requested format as to release this data could lead to the identification of the person(s) involved due to the low numbers involved, and would breach the Trusts obligations under Data Protection Act 2018. Accordingly, this aspect of your request is exempt from disclosure under the terms of Section 40(2) of the FOI Act. *Personal information.*

This exemption is an absolute exemption and therefore no consideration of the public interest test is needed

**Q2 How many BAME staff (full-time and part-time) directly employed by your Trust have died after testing positive for Covid-19?**

**A2** None

**Q3 Where possible, please provide details of:**

- 3a. Age**
- 3b. Gender**
- 3c. Occupation**
- 3d. Nationality of staff members who have died after testing positive for Covid-19.**

**In order to protect patient confidentiality this could be presented in such a format:**

For example:

- **Occupation:**
- **Doctor – 1**
- **Nurse – 7**
- **Etc**
  
- **Gender:**
- **Male – 3**
- **Female – 5**
- **etc**

A3 We are unable to provide the information you require in the requested format as to release this data could lead to the identification of the person(s) involved due to the low numbers involved, and would breach the Trusts obligations under Data Protection Act 2018. Accordingly, this aspect of your request is exempt from disclosure under the terms of Section 40(2) of the FOI Act. *Personal information.*

\*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

***UHNM NHS Trust is a public sector body and governed by EU law. FOI requestors should note that any new Trust requirements over the EU threshold will be subject to these regulations and will be advertised for open competition accordingly.***

Where the Trust owns the copyright in information provided, you may re-use the information in line with the conditions set out in the Open Government Licence v3 which is available at <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>. Where information was created by third parties, you should contact them directly for permission to re-use the information.

An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

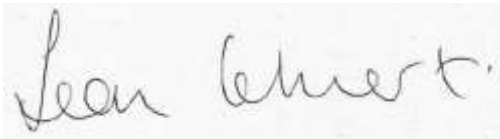
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via [www.ico.org.uk](http://www.ico.org.uk).

If following review of the responses I can be of any further assistance please contact my secretary on 01782 671612.

Yours,



Jean Lehnert  
**Data, Security & Protection Manager**