Ref: FOIA Reference 2021/22-460b

Date: 17th January 2022

Dear

I am writing to acknowledge receipt of your email dated 3rd January 2022 (received into our office 4th January) requesting information under the Freedom of Information Act (2000) regarding our response to your request relating to Covid-19.

You stated:
'Can I please ask you to reconsider your response? To lower the burden on your Trust, can I please have a response to questions 1.a and 2.a?

Please note that other Trusts have been able to answer 1.a and 2.a by splitting the answer to 1.a by parts 1 and 2 of the death certificate. Can you please do the same?

If you are still unable to answer those two questions, can you please explain how it is possible that you do not record what patients in your care die of?'

As of 1st November 2014 University Hospitals of North Midlands NHS Trust (UHNM) 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.

Our Original Response to Question 1 of your FOI dated 29 December 2021:

Q1   I am writing for information pursuant to the Freedom of Information Act 2000. All questions pertain to the following dates: 01/12/2019 to 30/11/2021. I would like to know the following:

1.a) How many people have died in your hospitals within 28 days of testing positive for COVID-19?
1.b) Of those people, how many had underlying health conditions / co-morbidities and how many did not? Please provide absolute numbers and percentages.
1.c) Please also state the top 5 underlying health conditions / co-morbidities of those people.
1.d) Please state how many of those people were vaccinated and how many were not. Please provide absolute numbers and percentages. For vaccinated people, please break down the response in the following way: i) received one dose, ii) received two or more doses.

A1   1.a <mark>From March 2020 to November 2021 there were 1498 inpatients (U071 COVID-19, virus identified applied anywhere within the clinical coding) who died and who had a positive COVID test 28 days or less from date of admission. Note: this data only commences with deaths from March 2020, prior information is not held.</mark>

1.b This would require an manual review of the patients from 1a to see whether the patient had underlying health conditions/co-morbidities or not. Section 12 exemption as detailed below.

1.c) This would require a manual review of underlying health conditions/co-morbidities identified in 1b. Section 12 exemption as detailed below:

1.d). Vaccination status data is not held by the Trust.

1 b and c) I can neither confirm nor deny whether the information you have requested is held by the Trust in its entirety. This is because the information requested in your questions is not held centrally, but may be recorded in individual health records. In order to confirm whether this information is held we would therefore have to individually access all individual health records within the Trust and extract the information where it is present. We therefore estimate that complying with your request is exempt under section 12 of the FOI Act: *cost of compliance is excessive*. The section 12 exemption applies when it is estimated a request will take in excess of 18 hours to complete. This is based on the content of Regulation 4(3) of The Freedom of Information & Data Protection (Appropriate Limit and Fees) Regulations 2004 and ICO Guidance '*Requests Where The Cost of Compliance Exceeds The Appropriate* Limit' (paragraph 9) which states that the following can be determined when estimating the costs of a request:

- Determining whether the information is held;
- Locating the information, or a document containing it;
- Retrieving the information, or a document containing it; and
- Extracting the information from a document containing it.

Assuming that all medical records are on site (which is unlikely to be the case) we estimate that it would take approximately (conservatively) 2 minutes to retrieve the record and for a clinician to review the record to identify any co-morbidities/underlying health conditions; and in addition, to determine, from the total number of records what the top 5 co-morbidities/ underlying health conditions were. Applying that 2 minutes across all 1498 records gives a total time to provide your answer as far in excess of 18 hours. (49 hours to review)

In addition to the section 12 exemption the Trust is also applying section 14 (1) exemption: *oppressive burden on the authority*

Under section 16 of the FOI Act we are required to provide requestors with advice and assistance where possible. If you are able to refine your request to allow us to provide some information, taking into account the criteria detailed above, we would be happy to review our response.

Our Response to your query on question 1 of our Original Response:

Q1a,   Was answered in our response sent to you 29th December 2021, see response above (highlighted in yellow)

Our Response to Question 2 of Your Original Request

Q2   **2.a) How many people have died in your hospitals purely and only due to COVID-19?**
2.b) Of those people, how many had underlying health conditions / co-morbidities and how many did not? Please provide absolute numbers and percentages.
2.c) Please also state the top 5 underlying health conditions / co-morbidities of those people.
2.d) Please state how many of those people were vaccinated and how many were not. Please provide absolute numbers and percentages. For vaccinated people, please break down the response in the following way: i) received one dose, ii) received two or more doses.

Please keep the numbers/figures/percentages/etc. provided in response to questions 2.a-d separate from the numbers/figures/percentages/etc. provided in response to questions 1.a-d. If that is not possible, please clearly indicate which numbers are combined.

A2   2.a) The Trust does not record on Careflow (the Trust reporting system) the reason why a person died.
2.b) Information not held
2.c) Information not held.
2.d) Information not held

Our Response to your query on Question 2 of our Original Response

Q2a, was also answered in our response = 2.**a) The Trust does not record on Careflow (the Trust reporting system) the reason why a person died.**

In addition, we would like to offer the following; the Trust scans all documentation detailing the cause of death to individual records within iPortal (the Trust's patient information record, used by the Trust's clinicians, nurses and administration staff).   A copy of the cause of death information is scanned to the iPortal record by the Bereavement Team for the clinician's information. Other information relating to the patient's death is saved to the Bereavement Team Network Drive – this is their case record covering the whole of the case including coroners' reports, Medical Examiner scrutiny etc. To answer your question specifically, the information is recorded, however it is not recorded centrally and therefore to extract the information to answer your question would require a clinical member of staff reviewing 3600 documents to identify those patients who died purely and only due to covid-19. As stated in our original response, that would take in excess of the time limit as detailed within Regulation 4(3) of The Freedom of Information & Data Protection (Appropriate Limit and Fees) Regulations 2004.

It should be noted that not all Trusts use the same electronic patient systems and there is no national requirement for Trusts to record the reason why a person died. We currently have to report all Covid deaths to NHSe (this requirement has been in place since the start of the pandemic), however there is no requirement for us to differentiate between the death as a stand-alone COVID death or if there were any other underlying contributory factors.

Q2b – this information is subject to the Section 12 Time/Cost exemption as detailed in our original response to Q1 dated 29 December 2021.

Q2c -   this information is subject to the Section 12 Time/Cost exemption as detailed in our original response to Q1 dated 29 December 2021.

*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.

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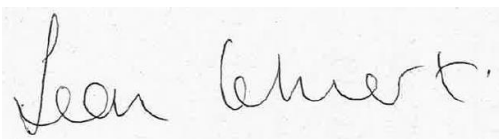
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and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

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