



**University Hospitals
of North Midlands**
NHS Trust

**Royal Stoke University Hospital
Data, Security and Protection**

Newcastle Road
Stoke-on-Trent
Staffordshire
ST4 6QG

Ref: FOIA Reference 2023/24-831

Date: 10th June 2024

Email foi@uhn.nhs.uk

Dear

I am writing to acknowledge receipt of your email dated 4th March 2024 requesting information under the Freedom of Information Act (2000) regarding nerve damage.

On 16th May 2024 we contacted you via email with the following:
To continue with your request we require clarification what area of surgery you are referring to

On 17th May 2024 you replied via email with:

'I am writing to express my concern regarding the delay in your request for clarification on my initial FOI inquiry, which I believe was articulated clearly. I would appreciate an explanation for the time taken to address this matter, as I am considering escalating it to the Information Commissioner's Office if necessary. Please consider this email as a formal complaint regarding the delay.'

To reiterate my original question: What are the policies, standards, guidelines, protocols, or best practices that a surgeon or doctor follows if a nerve is damaged during surgery? This includes situations where the nerve damage is recognized during the surgery or shortly thereafter, within a week. Specifically, I would like to know the subsequent steps taken to manage the situation, such as notifying the patient, referring the patient for an EMG, directing the patient to a Nerve Clinic, or any other managed care plans.

Additionally, does the response differ in the context of ablative cancer surgery?

I look forward to your prompt and detailed response to these inquiries. '

On the same day we replied with:

Please accept our apologies for the delay in responding to your FOI about Nerve damage.

This request has required review from our clinical teams who are experiencing capacity burdens due to the patient/clinical activity they undertake and hopefully you agree that patient activity is a priority. The FOI was originally sent to the Neurosurgery team, but they highlighted to us that nerve damage can occur during all types of surgery. This request therefore covers every surgical speciality in the Trust and each speciality will have their own policies, standards, guidelines, protocols, or best practices, these will differ dependent upon the procedure involved as all types of surgeries have the potential to involve a nerve.

We came to you for further clarity so the request could be narrowed down to avoid further delay and the need for all surgical teams to review the FOI if it wasn't needed and therefore removing an



unnecessary nonclinical task. I accept that this request for clarity has been delayed due to the issues I have already mentioned but now we have received your response we can see you are indeed asking for all types of surgery where there is nerve damage. We will now contact all surgical divisions to respond to your request and we will work towards collating a response as quick as possible and as you have added a new question for the cancer team, we will follow this up with them also.

Obviously, it is your right to contact the ICO, but I can assure you your request is being worked through the best we can with the current challenges we face and taking into account your additional question for the Cancer team.

You responded via email with:

'Please can you go to the surgical teams dealing with 1) (a) skin cancer surgery first, which would in fact be 1) (b) plastic surgery, 2) reconstructive plastic surgery generally and 3) specifically in the neck and 4) axilla and get me these responses asap . Please confirm

I would also like a response from the other surgeries but I can't imagine how the response can differ '

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.

Q1 What is the policy, process and or procedure for managing nerve damage identified during or immediately post surgery?

Would it make any difference what type of surgery it was ?

A1 Please accept our apologies for the delay in responding to your amended FOI request, it has taken some time to gather the opinions of the surgeons for all surgical areas in the Trust. I appreciate that you attempted to narrow down your request to skin cancer surgery, plastic and reconstructive surgery but this has not allowed us to offer the specific answer you required as the management of nerve injuries is complex and depends on the type of injury, whether it was identified at the time of surgery and many other patient factors. There are multiple surgery/reconstruction procedures and there is no one size fits all treatment, there is no Trust policy that covers this very broad subject.

We have included the Duty of Candour policy in my response as this covers the requirement of the Trust to be open and transparent with patients and/or their relatives when certain incidents occur, in relation to the care and treatment provided.

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

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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.

Yours,



Rachel Montinaro
Data Security and Protection Manager - Records