



**University Hospitals  
of North Midlands**  
NHS Trust

Royal Stoke University Hospital

**Quality, Safety and Compliance Department**

Newcastle Road

Stoke-on-Trent

Staffordshire

ST4 6QG

Ref: FOIA Reference 2019/20-376

Date: 14<sup>th</sup> October 2019

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

Dear

I am writing in response to your email dated 26<sup>th</sup> September 2019 requesting information under the Freedom of Information Act (2000) regarding breast cancer.

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 questions 2,3,4,5 and 6 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. We estimate that accessing and reviewing all individual health records and then extracting relevant information would take longer than the 18 hours allowed for.

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. We would therefore like to advise you that if your request is shortened to just question 1 we are able to comply within the 18 hour time frame. In order to avoid delay to your response we have provided this below.

As of 1<sup>st</sup> 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 Please confirm or deny if University Hospitals of North Midlands NHS Trust holds information on the number of people diagnosed in University Hospitals of North Midlands NHS Trust with early breast cancer in each year from 2013 to 2018.**

**If confirm, please release this data.**

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*. However as the Trust is committed to openness and transparency we can band the numbers. Please see below:

	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
--	-------------	-------------	-------------	-------------	-------------	-------------



C50	442	424	589	650	530	519
C76	0	0	0	<5	0	0
C77	<5	0	0	0	0	0
C78	0	0	<5	<5	0	0
C79	<5	0	0	0	0	0
C80	0	<5	<5	0	<5	0
D05	67	76	63	123	114	85

**Q2 Please confirm or deny if University Hospitals of North Midlands NHS Trust holds information on the number of people diagnosed in University Hospitals of North Midlands NHS Trust with early breast cancer that were offered tumour profiling tests to guide adjuvant chemotherapy decisions, in each year from 2013 to 2018.**

**If confirm, please release this data.**

A2 Section 12 and 14 exemptions as detailed above.

**Q3 Please confirm or deny if University Hospitals of North Midlands NHS Trust holds information on the number of people diagnosed in University Hospitals of North Midlands NHS Trust with early breast cancer that were tested with tumour profiling tests to guide adjuvant chemotherapy decisions, in each year from 2013 to 2018.**

**If confirm, please release this data.**

A3 As answer 2

**Q4 Please confirm or deny if University Hospitals of North Midlands NHS Trust holds information on the number of people diagnosed in University Hospitals of North Midlands NHS Trust with oestrogen receptor (ER)-positive, human epidermal growth factor receptor 2 (HER2)-negative and lymph node (LN)-negative (including micro metastatic disease) early breast cancer in each year from 2013 to 2018.**

**If confirm, please release this data.**

A4 As answer 2

**Q5 Please confirm or deny if University Hospitals of North Midlands NHS Trust holds information on the numbers of people diagnosed in University Hospitals of North Midlands NHS Trust with oestrogen receptor (ER)-positive, human epidermal growth factor receptor 2 (HER2)-negative and lymph node (LN)-negative (including micrometastatic disease) early breast cancer that were offered tumour profiling tests to guide adjuvant chemotherapy decisions in each year from 2013 to 2018.**

**If confirm, please release this data.**

A5 As answer 2

**Q6 Please confirm or deny if University Hospitals of North Midlands NHS Trust holds information on the number of people diagnosed University Hospitals of North Midlands**

**NHS Trust with oestrogen receptor (ER)-positive, human epidermal growth factor receptor 2 (HER2)-negative and lymph node (LN)-negative (including micro metastatic disease) early breast cancer that were tested with tumour profiling tests to guide adjuvant chemotherapy decisions in each year from 2013 to 2018.**

**If confirm, please release this data.**

A6 As answer 2

\*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 676474.

Yours,



University Hospitals  
of North Midlands  
NHS Trust

Jean Lehnert  
Information Governance Manager

