

24 July 2018

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London SE1 8UG

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W: [improvement.nhs.uk](http://improvement.nhs.uk)

[REDACTED]  
[REDACTED]  
[REDACTED]

**By email:** [REDACTED]

Dear [REDACTED]

### **Request under the Freedom of Information Act 2000 (the “FOI Act”)**

We refer to your email of 26 June 2018 in which you requested information under the FOI Act from NHS Improvement.

#### **Your request**

You made the following request:

*“I would like to request information from the National Reporting and Learning System on 'moderate', 'severe' and 'death' incidents so far in 2018.*

*I am aware that you publish the numerical data for these incidents, but I am looking for qualitative details about each case.”*

#### **Decision**

NHS Improvement holds the information that you have requested but has decided to withhold all of the information that it holds, on the basis of the applicability of the exemptions in section 14 of the FOI Act, as explained in detail below.

Under section 14(1) of the Act, public authorities are not required to comply with requests deemed as vexatious. In this particular case, the request would involve the provision of around 40,000 incident reports, each of which may require redaction and clinical review, and result in an unjustified level of disruption due to the disproportionate allocation of resources that such a request would require.

We note that NHS foundation trusts and NHS trusts are subject to the FOI Act and as such it is open to you to seek information directly from them. They will need to consider whether information can properly be provided by them in response to any such requests within the terms of the FOI Act.

A list of all NHS trusts and NHS foundation trusts can be found via the link below:

<https://www.nhs.uk/servicedirectories/pages/nhstrustlisting.aspx>

### **Review rights**

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within NHS Improvement of the issue or the decision. A senior member of NHS Improvement's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, NHS Improvement, Wellington House, 133-155 Waterloo Road, London SE1 8UG or by email to [nhsi.foi@nhs.net](mailto:nhsi.foi@nhs.net).

### **Publication**

Please note that this letter [and the attached information] will shortly be published on our website. This is because information disclosed in accordance with the FOI Act is disclosed to the public at large. We will, of course, remove your personal information (e.g. your name and contact details) from the version of the letter published on our website to protect your personal information from general disclosure.

Yours sincerely,

**NHS Improvement**