

Ref no: 228231120
From: Commercial
Date: 23/11/20
Subject: Hypoxic ischemic encephalopathy

REQUEST

1. An anonymised list of babies born in the Trust who underwent controlled cooling as result of confirmed or suspected hypoxic ischemic encephalopathy(HIE), between 1 September 2010 and 1 September 2020;
2. An anonymised list of babies born in the Trust who died as a result of confirmed or suspected hypoxic ischemic encephalopathy(HIE), between 1 September 2010 and 1 September 2020;

In relation to 1 and 2 above please confirm:

- a. the grade of HIE; and
- b. the ethnic origin of mother and baby

RESPONSE

St Helens and Knowsley Teaching Hospitals NHS Trust does hold this information, but considers it exempt on the following grounds:

We are unable to provide precise figures when those figures refer to individuals in volumes of 5 or less due to the risk that individuals will be re-identified, as we are required to protect their identity under the General Data Protection Regulations & Data Protection Act 2018. In such circumstances sections 40(2) and (3) of the Freedom of Information Act apply. In this case, our view is that disclosure would breach the first data protection principle. This states that personal data should be processed “lawfully, fairly and in a transparent manner”. It is the lawful aspect of this principle which, in our view, would be breached by disclosure. In such circumstances section 40 confers an absolute exemption on disclosure.

For information regarding deceased patients, The Trust considers the data exempt on the following grounds: Section 41(1) – Information provided in confidence. Information – and in particular medical information – can remain confidential after a person’s death. Information that forms part of the medical records of a patient is implicitly confidential.