

Our Ref: 593/2021
October 2021

Re: Your request made under the Freedom of Information Act 2000

Please provide the FULL royal college review into maternity services, from 2016 by the RCOG. The summaries and recommendations have been released under the FOI but please now release the full report, redacting any names if needed. There is a precedent via the ICO in Devon relating to this where a full royal college report was released after the trust refused and the ICO ruled it should be released. This was because there was ongoing concerns at the trust (this was the full report not the summaries) and this ICO tribunal panel approved it could be released - given the ongoing concerns.

<https://www.bbc.co.uk/news/uk-england-devon-51835095> ICO reference EA/2019/0136; which has set a precedent in this situation. There have been a number of concerns, including one baby death 2018 which has gone via the coroner since the review where concerns in the report, have been highlighted. The public have a right to know the full contents. Please provide the full content under FOI.

Under section 40(2) of the Freedom of Information Act, we are not obliged to provide information that is the personal data relating to another person, if releasing this information would contravene any of the principles of the UK General Data Protection Regulation / Data Protection Act 2018. In this instance we believe that the release of the personal data within the report would contravene the first data protection principle set out in Article 5(1)(a) of the UK GDPR, which requires all processing of personal data to be fair, lawful in transparent. In our view, release of the personal data within the report would not be lawful and therefore section 40(2) FOIA is engaged.

FOIA entitles access to information held by a public authority, and not specific exemptions. We consider that any of the information within the report which does not constitute personal data is reasonably accessible to you by other means within the Executive Summary and Conclusions and Recommendations. Those documents are publicly available via the Trust's website, specifically within the Maternity service page: <https://www.dbth.nhs.uk/services/maternity/> and these have also been made available on request since receipt of the report. These documents give a reasonable account of the report in question, and of the actions which have since been completed.