

Freedom of Information Act Request

Under the Freedom of Information Act, I would like to request the following information:

We write to make a formal FOI request, in relation to your detection rates for serious cardiac defects in fetuses antenatally.

- How many serious cardiac defects, including common arterial trunk and ventricular septal defect, were reported by Doncaster Royal Infirmary in 2009 and 2010?

After conducting a search of our records, we can confirm that the Trust does not hold data dating back to 2009-2010. Therefore, we are unable to provide a response to your request.

If you require historical health data, you may wish to contact NHS England or the Office for National Statistics (ONS), as they may hold relevant archived information.

- How many sonographers out of the total employed at Doncaster Royal Infirmary were reporting serious cardiac defects, including common arterial trunk and ventricular septal defect, in 2009 and 2010?

After careful consideration, we regret to inform you that we are unable to disclose the requested information under Section 40(2) of the Freedom of Information Act 2000 (Personal Information).

The information requested could potentially identify individuals, particularly given the specific timeframe and specialized nature of the work. Under the FOI Act, personal data relating to third parties is exempt from disclosure where it would contravene the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018. Releasing such details without consent would breach data protection principles.

If you would like general statistical information on the total number of sonographers employed during this period, we may be able to provide this in an anonymized format. Please let us know how you wish to proceed.

Requester review- I believe the exemption set out in the Data Protection Act 2018, schedule 2, part 1, paragraph 5(3) applies, and therefore this information should be supplied given the legal proceedings. There is no reason why the answer provided to question 2 cannot be anonymised; no personal data need be provided, simply the number of sonographers employed at DRI at that time who were reporting these defects

Response- We do not hold data for 2009-2010 as per the response for Q1 above. Furthermore in view of your response 'given that the legal proceedings' If legal proceedings are underway then any information should be requested via a Legal disclosure route as detailed in the response to Q3.

- How many serious cardiac defects, including common arterial trunk and ventricular septal defect, was sonographer Kate Love, identifying and reporting, at Doncaster Royal Infirmary in 2009 and 2010?

After careful consideration, we are unable to disclose the requested information under Section 40(2) of the Freedom of Information Act 2000 (Personal Information).

Our Ref: 102

FEB 2025



Your request seeks data linked to an identifiable individual, specifically referencing a named sonographer. Under the FOI Act, personal data relating to a third party is exempt from disclosure where it would contravene the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018. Releasing such information without consent would breach the principles of lawful processing under data protection legislation.

Requester review- With regards question 3, the person is already known to us, as she is named in the medical records.

Response- Exempt under FOI and SAR as below

Under FOIA, personal data about third parties is exempt from disclosure under Section 40(2) (Personal Information)

Not eligible under SAR (unless Kate Love submits it herself).

If you are requesting this on behalf of Kate Love, then she is entitled to request personal data held about her, such as her work records, under SAR.

As this request is made on behalf of a patient or third party, it is denied under the "third-party personal data" exemption (UK GDPR Article 15(4) and Data Protection Act 2018, Schedule 2, Part 3).

Should be pursued through formal legal disclosure routes (e.g., court order, inquest request, or CPR 31.16/31.17 disclosure applications).

If you are not satisfied with the handling of your request, you have the right to request an internal review. Requests for an internal review should be submitted

within 40 working days from the date of this response, and should be addressed to d.wraith@nhs.net.

If you remain dissatisfied after the internal review, you have the right to appeal to the Information Commissioner's Office (ICO). The ICO can be contacted at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113

Website: <https://ico.org.uk/make-a-complaint/>