

Date: Tuesday, 26th November 2019  
Our Ref: MB/SS FOI 4100

Sid Watkins Building  
Lower Lane  
Fazakerley  
Liverpool L9 7BB  
Tel: 01515253611  
Fax: 01515295500  
Direct Line: 01515563037

**Re: Freedom of Information Request FOI 4100**

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 05th November 2019.

Your request was as follows:

Please send me:

1) Quarterly data on the number of avoidable deaths at the Trust (since records began) as required by the Department of Health and Social Care on 14th December 2017

(<https://www.gov.uk/government/news/nhs-becomes-first-healthcare-system-in-the-world-to-publish-numbers-of-avoidable-deaths>##targetText=NHS%20becomes%20first%20healthcare%20system%20in%20the%20world%20to%20publish,lessons%20and%20learn%20from%20failings.)

Due to the minimal number of patients identified, further information relating to the number of avoidable deaths at the Trust (since records began) will not be released under Section 40(3)(a)(ii) of the Freedom of Information Act 2000, as releasing this information may lead to the undue stress of families and patients as this information may still lead to patients being identified. Therefore this information has not been released for reasons of confidentiality; compliance with the Data Protection Act 2018 and by virtue of the exemptions contained in section 40(3) of the Freedom of Information Act 2000 as the Trust believes that providing the information would be in breach of the Principle (B) of GDPR as well as provisions under Chapter III regarding individuals' rights.

2) Types of incident causing avoidable deaths

N/A

Please see our response above in [blue](#).

**Re-Use of Public Sector Information**

All information supplied by the Trust in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No. 1515 which came into effect on 1st July 2005.

Under the terms of the Regulations, the Trust will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however the Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Further information can be found at [www.opsi.gov.uk](http://www.opsi.gov.uk) where a sample license terms and fees can be found with

guidance on copyright and publishing notes and a Guide to Best Practice and regulated advice and case studies, at [www.opsi.gov.uk/advice/psi-regulations/index.htm](http://www.opsi.gov.uk/advice/psi-regulations/index.htm)

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Freedom of Information Office at the address above.

**Please remember to quote the reference number, FOI 4100 in any future communications.**

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioners Office, Wycliff House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

*Mike Burns*

**Mr. Mike Burns, Executive Lead for Freedom of Information**