

Date: Monday, 23rd March 2020  
Our Ref: MB/SH FOI 4276

Sid Watkins Building  
Lower Lane  
Fazakerley  
Liverpool L9 7BB  
Tel: 01515253611  
Fax: 01515295500  
Direct Line: 01515563038

**Re: Freedom of Information Request FOI 4276**

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 04th March 2020.

Your request was as follows:

1. How many 'never events' have occurred at your trust over the past ten years? (please break this down by year and speciality department, and if possible also include information collected for 2020)

I confirm that The Walton Centre NHS Foundation Trust holds the information you have requested. However, I am unable to provide you with that information as I consider that the following exemptions apply to it:

**Section 40 (2) - Third Party Data**

This information is exempt from disclosure under Section 40(2) of the Freedom of Information Act 2000 (FOIA), due to the minimal number of patients identified, and in answering your query 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.

This exemption is not subject to the public interest test.

This response therefore acts as a refusal notice under section 17 of the FOIA.

2. Details for each of these 'never events'. What happened? Were there any contributing factors?

As above.

3. How the issue was resolved for each? (i.e was there any compensation involved and if so what was the total amount paid in compensation for these 'never events' by year and over the past 10 years?)

As above.

4. Has NHS England (or another body) issued guidance or any other form of support to prevent the occurrence of 'never events' in the future?

Yes.

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 4276 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, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

*Mike Burns*

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