

Freedom of Information Request: Our Reference CTMUHB_489_21

You asked:

I write regarding a Freedom of Information request on instruments unaccounted for following a surgical procedure and would be grateful if you could provide me with the following information:

1.The number of reported incidents of instruments unaccounted for following a surgical procedure, broken down by hospital in your Local Health Board area in the financial years 2018-19, 2019-20 and 2020-21, along with monthly figures up to November 2021;

We can confirm that the Health Board does hold this information. However, to release the specific information in the way that you have requested would mean disclosure of low numbers.

Where numbers are low we have considered that there is the potential for the individuals to be identified from the information provided, when considered with other information that may also be in the public domain.

In our view disclosure of these low figures would breach the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute as unfair and unlawful processing in regard to Articles 5, 6, and 9 of GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.

However, in order to fulfil our obligation under Section 16 of the Act to provide advice and assistance, we can confirm that there have 20 incidents reported on our Datix system since 01.04.18 under the categories of retained foreign object post operation and incorrect swabs / instruments.

2.Out of these reported incidents, how many patients were x-rayed to determine if the instrument had been inadvertently retained in the patient broken down by hospital in the years and months above;

I can confirm that the Health Board does not centrally record this information. As this is not information that the Health Board routinely compiles, we would have to carry out a specific exercise to retrieve, review and collate this data. To provide you with this information would require a manual trawl of our Datix system and each individual patient's health record. This would exceed the 18 hours time and £450 cost limit set out within Section 12 of the Freedom of Information Act.

3.In each instance where an X-ray was undertaken which confirmed the instrument was inadvertently retained within the patient, can you confirm that a Duty of Candour had been evidenced by documenting the reason for X-ray within the patient record; and

Please see response to question 2.

4. A list of the root causes of these incidents

Please see response to question 2.