

Freedom of Information Request: Our Reference CTMUHB_89_22

You asked:

Please would you provide the following information pursuant to the Freedom of Information Act 2000:

1. How many birth injury/cerebral palsy cases have been brought against Cwm Taf Morgannwg University Health Board and in particular against Royal Glamorgan Hospital for 2007 and 2008?

Our response:

I can confirm we hold the information that you request. Please note we have withheld the exact figures due to the low numbers involved. This is due to the potential risk of identification if we released the number of cases, which might then be linked with other information available in the public domain. Also, responses under the Freedom of Information Act are made available to the public at large. Therefore, the data is classed as personal data as defined under 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 to fulfil our obligation under Section 16 of the Act to provide advice and assistance, I can confirm that there were less than 5 claims made against Cwm Taf Morgannwg University Health Board during this period. Some of these claims were later withdrawn.