

Freedom of Information Request: Our Reference CTMUHB_333_23

You asked:

Please find attached a freedom of information request in relation to the deaths of patients detained under the Mental Health Act 1983.

Our response:

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, please see attached. Where the figures are less than 5, this has been denoted by **.

Please note we have not provided a total for 6a, as to do so would disclose the low numbers withheld in our response to questions 6b and 7b in conjunction with the total number provided in question 1.