

## Freedom of Information request 132-22

---

### Request

I am looking for information regarding the number of patients who have died whilst classified as a delayed discharge (a patient, clinically ready for discharge, cannot leave hospital because the other necessary care, support or accommodation for them is not readily accessible and/or funding is not available).

As such, can I request the following:

1. A breakdown of the number for the financial years 2018/19, 2019/20, 2020/21 and 2021/22 (most recent);
2. How long each patient had been classified as a delayed discharge;
3. The hospital in which the patient was delayed and the cause of death
4. Reason for delayed discharge

### Response

Please see our response attached below.



FOI 132-22  
Response.xlsx

As NHS Borders is such a small Board and the number of patients is very small, to provide causes of death and waiting times for each patient could allow individuals to be identified and we would be in breach of the Data Protection Act 2018. We are also unable to aggregate the data as these are specific to each individual patient. We are therefore withholding this data under Section 38(1)(b) of the Freedom of Information (Scotland) Act 2002. This is in accordance with the Code of Practice for Official Statistics which states that any number that is less than five; actual numbers and potentially identifiable information is withheld to help maintain patient confidentiality due to potential risk of disclosure. Further information is available in the ISD Statistical Disclosure Control Protocol

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or [foi.enquiries@borders.scot.nhs.uk](mailto:foi.enquiries@borders.scot.nhs.uk).

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **132-22** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.