

Freedom of Information request 149-22

Request

- 1) All recorded instances in which medical procedures have been mistakenly carried out on the wrong area of a patient's body during the years 2019, 2020, 2021, and up to March 2022.
- 2) All recorded instances where the wrong medical procedure was performed on a patient during the years 2019, 2020, 2021, and up to March 2022.
- 3) A breakdown of the above information by date, hospital, description of mistake and outcome (ie official complaint, apology, compensation etc).

CLARIFICATION:

By 'medical procedure' I mean any operations and invasive procedures where purposeful/deliberate access to the body is gained via an incision.

Response

1. There have been <5 adverse events relating to medical procedures that have been mistakenly carried out on the wrong area of a patient's body during the last three calendar years (2019, 2020, 2021 and up to March 2022).
2. There were no recorded instances where the wrong medical procedure was performed on a patient during the years 2019, 2020, 2021 and up to March 2022.
3. As NHS Borders is such a small Board and the number of adverse events is very small, to provide a breakdown by date, hospital, description and outcome could allow individuals to be identified and we would be in breach of the Data Protection Act 2018. 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.

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 **149-22** 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.