

Freedom of Information request 125-23

Request

I am writing to ask a Freedom of Information request regarding the misdiagnosis of patients. More specifically, "How many patients have been misdiagnosed in your health board every year since 2007, or since the earliest available year that data has been kept."

Clarification

- The system used by NHS Borders does not record complaints data using the term "misdiagnosis", however Under Section 15 Duty to Provide Advice and Assistance of the Freedom of Information (Scotland) Act 2002 we can advise that we are able to search using "wrong diagnosis" – please can you confirm if this is appropriate for your request and you would like us to proceed with the request using the term "wrong diagnosis"?
- NHS Borders does not hold this data prior to 1 April 2011, please can you confirm if you would like us to provide data from this date – and if it should be in calendar or financial year?

"Wrong Diagnosis" as the term and from 2011 in calendar year format would suffice, thank you.

Response

This information is not held electronically. The data may be held in a patient's record, but to extract this data would require a manual trawl of all patient records and the cost of carrying out this work would exceed the limit set in the Fees Regulations of the Freedom of Information (Scotland) Act 2002 and under Section 12 we are not required to provide.

However, per the clarification above, we are able to provide the number of complaints recorded for "wrong diagnosis" – this information is shown in the table below:

Year	Complaints recorded with wrong diagnosis
2011	9
2012	13
2013	11
2014	12
2015	8
2016	7
2017	8
2018	12
2019	12
2020	8
2021	<5
2022	<5

Please note: these figures relate to complaints that are upheld, partly upheld and not upheld

As the number of events in some areas are very small and in accordance with the Code of Practice for Official Statistics 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 **125-23** 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.