

Freedom of Information request 287-23

Request

Please supply a statistical count including a full disclosure of any adverse incidents, reports, observations, and complaints raised by anybody but particularly by patients against Borders General Hospital on Thursday, the 23rd of September 2022.

Clarification:

NHS Borders record adverse incidents and complaints and will be able to provide a response to these aspects of your request – whilst adhering to the Data Protection Act 2018 and the Code of Practice for Official Statistics along with the Freedom of Information (Scotland) Act 2002. However, under Section 15 Duty to provide advice and assistance we require a clear definition of ‘reports’ and ‘observations’, as these are wide ranging terms, to enable us to provide the data you are requesting. If you can clearly state what type of report or observation you would expect to receive, and perhaps provide an example, this would hopefully allow us to proceed in locating the data, if held. Please note without this clarification we would be unable to provide any data on ‘reports’ or ‘observations’.

Reports are to mean accounts given of a particular matter.

Observations are to mean witness or victim statements in written or verbal format of things seen, heard, noticed or otherwise experienced.

We would like you to confirm our understanding that the ‘reports’ and ‘observations’ you wish to receive would be in relation to any adverse incidents and complaints reported and recorded on 23 September 2023 which NHS Borders hold?

Yes.

Response

There were 6 adverse events reported and <5 complaints raised against Borders General Hospital on 23 September 2022.

Please note that as NHS Borders is such a small rural Board the number of adverse events and/or complaints is very low, and to disclose further details of either of these could allow individuals to be identified and we would be in breach of the Data Protection Act 2018. We are therefore withholding all other data under Section 38(2)(ii) Personal Information of the Freedom of Information (Scotland) Act 2002. This is also 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 **287-23** 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.