

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 23 November 2011

Public Authority: Central and North West London NHS Foundation Trust

Address: Greater London House
Hampstead Road
London
NW1 7QY

Decision (including any steps ordered)

1. The complainant has made a request for a root cause analysis into the death of a patient. Central and North West London NHS Foundation Trust (CNWL) explained that no separate root cause analysis was ever drafted. It said that root cause information was incorporated into a report completed in November 2006. It said that this report had already been disclosed to the complainant.
2. The Commissioner's decision is that CNWL has provided the complainant with the November 2006 report that incorporated root cause information, however there is no further information held which would fall within the scope of the request.
3. The Commissioner requires no steps to be taken.

Request and response

4. On 6 April 2011, the complainant wrote to CNWL and requested a root cause analysis relating to the death of a patient. On 12 May 2011 CNWL wrote to the complainant and said that no separate root cause analysis was held.
5. Following an internal review CNWL wrote to the complainant on 16 September 2011, it explained that root cause information was incorporated into a report completed in November 2006. It said that this report had already been disclosed to the complainant. It clarified

that no further information which would constitute a root cause analysis is held by CNWL.

Scope of the case

6. The complainant contacted the Commissioner to complain about the way his request for information had been handled as he considers that there is further information held relevant to the scope of this request.
7. The Commissioner will consider whether or not CNWL holds any further information relevant to the scope of the request.

Reasons for decision

8. Section 1(1)(a) of FOIA states that, any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request.
9. In this case CNWL has explained that a root cause analysis was never drafted. It has explained that root cause information was incorporated into a report completed in November 2006 which has been provided to the complainant. CNWL provided the Commissioner with a copy of the November 2006 report. It explained that section 12, "The Incident Decision Tree", contains an analysis of the case. CNWL explained that the panel concluded that no one individual was responsible for the incident.
10. CNWL went on to explain that it is not aware of any statutory obligations or business purposes that would require it to hold a separate root cause analysis. It said that CNWL's own investigation dated January 2009, although not a root cause analysis, was the most exhaustive review of the care and treatment of a patient that we have ever undertaken. It also provided a copy of the 2009 report to the Commissioner and confirmed that this had been provided to the complainant.
11. After considering the explanation provided by CNWL the Commissioner considers that on the balance of probabilities there is no further information held by CNWL relevant to the scope of the request.

Right of appeal

12. Either party has the right to appeal against this Decision Notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0116 249 4253

Email: informationtribunal@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm

13. If you wish to appeal against a Decision Notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
14. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this Decision Notice is sent.

Signed

Pamela Clements
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Information Commissioner's Office
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SK9 5AF