

19 January 2017

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By email

████████████████████

Dear ██████████

Request under the Freedom of Information Act 2000 (the “FOI Act”)

I refer to your email of **5 January 2017** in which you requested information under the FOI Act from NHS Improvement. Since 1 April 2016, the Patient Safety functions under section 13R of the NHS Act 2006 have been exercised by the NHS Trust Development Authority, as part of the integrated organisation known as NHS Improvement.

Your request

You made the following request:

I would like to kindly request the following information within the year 2015-2016 in UK NHS Hospitals:

- 1. How many medication errors were reported from 2015-2016 in the UK?*
- 2. From those cases reported, how many of those medication errors were committed by nurses?*
- 3. Can you tell me the factors/reasons the nurses identified as to why they have committed a medication error? What are the top 5 reasons/factors/causes they have identified and can you give me percentage of each?*

Decision

NHS Improvement holds information relevant to your request.

In relation to the first part of your request, NHS Improvement holds this information and has decided to withhold the information on the basis of the exemption in section 21 of the FOI Act, as explained below.

Section 21 – information accessible by other means

Section 21 of the FOI Act provides that information is exempt from disclosure if it is reasonably accessible to the applicant by other means. NHS Improvement has published the

information that you have requested in the first part of your request and this can be accessed by the following link.

<https://improvement.nhs.uk/resources/organisation-patient-safety-incident-reports-28-september-2016/>.

Accordingly, it is reasonably accessible to you so we have not disclosed it with this letter.

In relation to the second and third parts of your request, we have not been able to progress these, because to do so would exceed the cost limit under section 12 of the FOI Act.

The information we hold is from the National Reporting and Learning System (NRLS). By way of background, some information about the NRLS may be helpful. The primary purpose of the NRLS is to enable learning from patient safety incidents occurring in the NHS. The NRLS was established in late 2003 as a largely voluntary scheme for reporting patient safety incidents, and therefore it does not provide the definitive number of patient safety incidents occurring in the NHS.

All NHS organisations in England and Wales have been able to report to the system since 2005. In April 2010, it became mandatory for NHS organisations to report all patient safety incidents which result in severe harm or death. All patient safety incident reports submitted to the NRLS categorised as resulting in severe harm or death are individually reviewed by clinicians to make sure that we learn as much as we can from these incidents, and, if appropriate, take action at a national level.

The NRLS is a dynamic reporting system, and the number of incidents reported as occurring at any point in time may increase as more incidents are reported. Experience in other industries has shown that as an organisation's reporting culture matures, staff become more likely to report incidents. Therefore, an increase in incident reporting should not be taken as an indication of worsening of patient safety, but rather as an increasing level of awareness of safety issues amongst healthcare professionals and a more open and transparent culture across the organisation.

Cost Limit under section 12 of the FOI Act

Under section 12(1) of the FOI Act, NHS Improvement is not required to comply with any request that potentially exceeds the relevant cost limit. The relevant cost limit is £450, which is set out in The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. This equates to a period of approximately eighteen hours in which to locate, retrieve and extract the information that you have requested.

In NHS Improvement's view, compliance with the second and third parts of your request will exceed this limit because the volume of documents that would need to be reviewed to locate the information covered by the request is significant. NHS Improvement would need to review several thousand incident reports to locate the information you have requested because a large number of medication incidents were reported in the time period of your request and we would need to search the free text of all of those incident reports to locate

the information requested. In some incident reports, the information requested may not be recorded at all.

Advice and Assistance provided under section 16 of the FOI Act

Under section 16 of the FOI Act, NHS Improvement is required, as a public authority, to provide advice and assistance so far as is reasonable, to individuals who have made a request to it under the FOI Act.

Given NHS Improvement's indication above of the volume of documentation that would need to be reviewed to locate the information sought, NHS Improvement would provide the following indications to assist you to make a request that can be complied without the time limits in section 12 becoming applicable. You may wish to:

- narrow your request to information that can be obtained by carrying out searches for particular words within the incident reports on the NRLS (e.g. *the number of medication incidents in 2016 with x in the incident summary*); and
- narrow the time periods for which you seek information.

In relation to the final part of your request, we do not hold this information.

Review rights

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within NHS Improvement of the issue or the decision. A senior member of NHS Improvement's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, NHS Improvement, Wellington House, 133-155 Waterloo Road, London SE1 8UG or by email to nhsi.foi@nhs.net.

Publication

Please note that this letter will shortly be published on our website. This is because information disclosed in accordance with the FOI Act is disclosed to the public at large. We will, of course, remove your personal information (e.g. your name and contact details) from the version of the letter published on our website to protect your personal information from general disclosure.

Yours sincerely,

NHS Improvement