

Reference:	FOI.3283.20
Subject:	Compartment syndromes
Date of Request:	3 June 2020

Requested:

1. How many compartment syndromes of any limb have there been in Hywel Dda over the last 30 years?
2. How many concerns/complaints have there been relating to treatment of these compartment syndromes in the last 30 years?
I will understand if you do not have the total numbers from before computerisation, but you should have the concerns.
3. What has been the substance of any complaints or litigation, and have these been repetitive?
 - a. Please could you list the substance of the complaints, obviously without giving personal information.
 - b. Please could the results be tabulated by D G H in Hywel Dda (Withybush, Carmarthen, Aberystwyth.) and by year?
 - c. Would you look at the dates of the event relating to the “concern” letters for compartment syndrome, and let me know their distribution by month of the year?
4. I also write to ask about delay in replying to letters of concern. I understand that a reply should normally come within 30 days. Do you consider an acknowledgement as a reply, or is a reply something more substantial which addresses the issues raised in a concern?
5. What is the total number of concerns over the last 5 years, and how many of these have had a proper reply, as opposed to an acknowledgement, within 30 days?
Once again I would ask for the information by year, and by hospital please?

Response:

Hywel Dda University Health Board (UHB) is unable to provide you with all of the information requested as it is estimated that the cost of answering your request would exceed the “appropriate level” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. The “appropriate level” represents the estimated cost of one person spending 18 hours or (2 ½ working days) in determining whether the UHB holds the information, and locating, retrieving and extracting the information.

In order to provide you with the requested information, the UHB would need to undertake a manual trawl of all incident reports for the years 1995 to 2013, to identify any information that fulfils your request.

The UHB is therefore applying an exemption under Section 12 of the Freedom of Information Act 2000 (FOI), which provides an exemption from a public authority’s obligation to comply with a request for information where the cost of compliance is estimated to exceed the appropriate limit.

Under section 16 of the FOI, we are required, as a public authority, to provide advice and assistance so far as it is reasonable, to individuals who have made a request under the FOI and therefore can provide you with some of the information requested.

1. Hywel Dda University Health Board (UHB) provides, within the table below, the number of compartment syndromes for the periods requested.

Financial year	Number
1995/1996	8
1996/1997	8
1997/1998	9
1998/1999	7
1999/2000	10
2000/2001	19
2001/2002	11
2002/2003	9
2003/2004	8
2004/2005	12
2005/2006	10
2006/2007	13
2007/2008	13
2008/2009	14
2009/2010	10
2010/2011	28
2011/2012	22
2012/2013	22
2013/2014	31
2014/2015	55
2015/2016	66
2016/2017	37
2017/2018	38
2018/2019	46
2019/2020	50
2020/2021 (to date)	3

Please note, the UHB has used numerous different administration systems over the past 30 years, therefore, the quality of historical data cannot be guaranteed.

2. The UHB confirms it has received six (6) complaints in relation to Compartment Syndrome since 2014. The UHB's digital complaint records are only stored for the most recent six (6) years under the UHB's data retention and destruction policy.
 3. The UHB confirms no themes or trends have been identified from the six (6) complaints received. Each complaint involved a different limb and none proceeded to redress as no breach in the duty of care was identified.
- 3a. The UHB provides, within the table below, the reasons for the complaints.

Complaint
Clinical treatment / assessment delayed
Communication failure with patient
Delayed admission / transfer
Overall level of medical care provided

3b. The UHB confirms three (3) complaints were relating to Glangwili General Hospital (GGH) and three (3) were relating to Withybush General Hospital (WGH).

3c. The UHB provides, within the table below, the month and year each of the complaints were received.

Month	Year
March	2016
April	2016
February	2019
May	2019
October	2019
February	2020

Please note, the information requested under question 3 of your request, has had to be separated as the UHB believes that disclosure of the information collectively poses a risk of identification of the patients concerned. The UHB has acted under Section 40(2) of the Freedom of Information Act 2000. This information is protected by the Data Protection Act (DPA) 2018 / General Data Protection Regulations (GDPR) 2016, as its disclosure would constitute unfair and unlawful processing and would be contrary to the principles and articles 6 and 9 of the GDPR. This exemption is absolute and therefore there is no requirement to apply the public interest test.

In reaching this decision, the Data Protection Act 2018 / General Data Protection Regulations 2016 defines personal data as data which relates to a living individual who can be identified solely from that data or from that data and other information which is in the possession of the data controller.

4. The UHB confirms, in accordance with the 'Putting Things Right' guidance, an acknowledgement, either by email, a telephone call or a letter, is issued confirming their correspondence has been received and is being acted upon. This is not the UHB's formal response to a complaint.

The 'Putting Things Right' guidance advises, in section 4.12, *"In the majority of cases, concerns should be acknowledged within 2 working days and responded to within 30 working days of their receipt. Responsible Bodies may have longer to respond if this proves necessary. However, in any case where there might be a delay, then an explanation must be provided to the person raising the concern"*.

A copy of the guidance can be accessed via the following link:

<http://howis.wales.nhs.uk/sitesplus/documents/862/PTR%20Guidance%20Version%202%20April%2012.pdf>

5. The UHB confirms it has received 13,141 complaints and enquiries during the period 1 April 2015 to 30 March 2020.

The UHB is unable to provide you with the information exactly as requested as the system is “live” it does not hold this type of historical data.

Therefore, the UHB provides, within the table below, the thirty (30) day closure percentage rates, which is the benchmarked time for the UHB to respond to complaints that were managed through the 'Putting Things Right' guidance, for the financial years 2011/12 to 2019/20.

Financial year	Closure rate
2011 to 2012	50%
2012 to 2013	66%
2013 to 2014	71%
2014 to 2015	70%
2015 to 2016	70%
2016 to 2017	65%
2017 to 2018	58%
2018 to 2019	79%
2019 to 2020	73%