Reference:	FOI.2485.20
Subject:	Shoulder injections
Date of Request:	6 February 2020

Requested:

Follow up request

Questions a - e are in reference to a previous FOI request: for the 17 patients referenced in response to question 4 (ii)

a) Is this for one shoulder or simultaneously injections in both shoulders?

b) How long has each of those 17 patients been waiting for repeat injections?

c) How many of those 17 are classed as urgent/routine or otherwise?

d) What are the criteria for testing those 17 patients for a procedure?

e) How many of those 17 are awaiting injections radio frequency or otherwise?

New request

1) As at 01.04.19 how many patients were awaiting their injections to one or both shoulders as a first procedure?

2) As at 01.07.19 how many patients were awaiting a repeat of (1) above.

3) Between 01.07.19 and 23.12.19 how many procedures were carried out on two shoulders simultaneously as a repeat procedure by;

- Radio frequency
- Otherwise

4) From 23.12.19 to 04.02.20 how many repeat injections have been carried out on a radio frequency or otherwise?

5) What exactly is the criteria for routine as opposed to any other threshold?

6) How is the review of routine urgent etc. monitored and what is the await trial?

Response:

Follow up request

a) There are currently sixteen (16) patients awaiting follow up injections; the UHB is only able to comment on the sixteen (16) currently awaiting treatment. Of these sixteen patients, eight (8) patients are awaiting treatment for one shoulder and eight (8) are awaiting treatment for both shoulders.

b) The UHB is unable to provide each patient's waiting time as there is a risk of identification should this be disclosed. This decision has been made as it is not within the expectations of these individuals that their personal data would be put into the public domain. This information is classed as personal data of third parties and is therefore being withheld in accordance with section 40 (2) of the Freedom of Information Act 2000 (the Act) by virtue of section 40 (3) (a) (i) of the Act, which permits a public authority to withhold personal data other than the requester's where the disclosure would breach a Data Protection Principle.

The Data Protection Act 2018 (DPA)/General Data Protection Regulation (GDPR) 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.

The UHB is able to confirm that the waiting time of the 16 patients ranges from 4 months – 13 months.

c) The UHB is unable to provide you with the exact number of patients who are classed as urgent or routine, due to the low numbers for one classification (5 and under), as there is a potential risk of identifying individuals if this was disclosed. The UHB is therefore withholding this detail under Section 40(2) of the Act. 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.

d) There is no recorded criteria for assessing a patient's suitability for a procedure. The assessment is based upon individual clinical need as determined by the specialty consultant.

e) All sixteen (16) of the patients are awaiting the injections via radio frequency.

<u>New request</u>

1) & 2) The UHB is unable to provide you with the number of patients who were waiting their first injections as at 1 April 2019 and 1 July 2019, 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 number of patients who were awaiting their first injections as at 1 April 2019 and 1 July 2019, the UHB would be required to conduct a manual search of the referral to treatment time waiting list and scrutinise each record to identify those awaiting pain injections. It is estimated that conducting the search for April alone would cost

1,039 patients @ 10 minutes per patient record = 173 hours
173 hours @ £25 per hours = £4,329

The UHB is therefore applying an exemption under Section 12 of the Act, 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*.

3) Fourteen (14) patients had their injections carried out on both shoulders between 1 July 2019 and 31 December 2019. The UHB is unable to provide you with the exact number of patients who had this done via radiofrequency or otherwise, due to the low numbers for one method (5 and under) as there is a potential risk of identifying individuals if this was disclosed. The UHB is therefore withholding this detail under Section 40(2) of the Act . 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) No repeat injections were carried out between 23 December 2019 and 4 February 2020.

5) There is no recorded criteria for routine or urgent referral. The assessment is based upon individual clinical need as determined by the specialty consultant.

6) All waiting lists are managed by the Pain Service team in co-ordination with the waiting list team.