

<b>Reference:</b>	FOI.7506.21
<b>Subject:</b>	Unaccounted surgical instruments
<b>Date of Request:</b>	24 November 2021

**Requested:**

write regarding a Freedom of Information request on instruments unaccounted for following a surgical procedure and would be grateful if you could provide me with the following information:

1. The number of reported incidents of instruments unaccounted for following a surgical procedure, broken down by hospital in your Local Health Board area in the financial years 2018-19, 2019-20 and 2020-21, along with monthly figures up to November 2021;
2. Out of these reported incidents, how many patients were x-rayed to determine if the instrument had been inadvertently retained in the patient broken down by hospital in the years and months above;
3. In each instance where an X-ray was undertaken which confirmed the instrument was inadvertently retained within the patient, can you confirm that a Duty of Candour had been evidenced by documenting the reason for X-ray within the patient record; and
4. A list of the root causes of these incidents

**Response:**

Hywel Dda University Health Board (UHB) is unable to provide you with the information requested, due to the low numbers of cases (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 Freedom of Information Act 2000. This information is protected by the Data Protection Act 2018/General Data Protection Regulations 2016 (GDPR), 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 define 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.