

FOI REF: 22/283

5<sup>th</sup> August 2022

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## FREEDOM OF INFORMATION ACT

I am responding to your request for information under the Freedom of Information Act. The answers to your specific questions are as follows:

**I write under the Freedom of Information Act to request the following information:**

**The number of patients who died whilst awaiting discharge as an inpatient at your Trust (who no longer meet the criteria to reside) in each of the following months:**

- **May 2021**
- **June 2021**
- **July 2021**
- **August 2021**
- **September 2021**
- **October 2021**
- **November 2021**
- **December 2021**
- **January 2022**
- **February 2022**
- **March 2022**
- **April 2022**

East Sussex Healthcare NHS Trust is unable to validate the information requested within the 18-hour timescale. The Trust would need to validate and where required carry out a clinical review, which we estimate would take 57 hours.

Section 12(1) of the Act allows a public authority to refuse to comply with a request for information if the authority estimates that the cost of compliance would exceed the 'appropriate limit', as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations). These state that this cost limit is £450 for public authorities which are not part of central government or the armed forces. The costs are calculated at £25 per hour per person regardless of the rate of pay, which means that the limit will be exceeded if the work involved would exceed 18 hours. The Trust estimates that the cost of complying with this request would significantly exceed the above limit.

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If I can be of any further assistance, please do not hesitate to contact me.

Should you be dissatisfied with the Trust's response to your request, you have the right to request an internal review. Please write to the Freedom of Information Department ([esh-tr.foi@nhs.net](mailto:esh-tr.foi@nhs.net)), quoting the above reference, within 40 working days. The Trust is not obliged to accept an internal review after this date.

Should you still be dissatisfied with your FOI request, you have the right of complaint to the Information Commissioner at the following address:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

Telephone: 0303 123 1113

Yours sincerely

Linda Thornhill (Mrs)  
Corporate Governance Manager  
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