

FOI REF: 23/424

24th July 2023

Eastbourne District General Hospital
Kings Drive
Eastbourne
East Sussex
BN21 2UD

Tel: 0300 131 4500
Website: www.esht.nhs.uk

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:

My request relates to medical treatment by the NHS remediating elective surgery operations sought outside the UK. I would like to request the following information:

East Sussex Healthcare NHS Trust does not centrally record whether remediating elective surgery provided by the Trust was undertaken for operations sought outside of the UK. To enable the Trust to provide this information would require a manual review of over 79,000 patient records which we estimate would take over 18 hours. We are therefore applying a Section 12(1) exemption to your request.

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.

1) The number of patients treated by your NHS Trust from 2018 to 2023 so far (as much as recorded) for complications related to elective surgery undertaken outside the UK.

Please provide the numbers broken down year-by-year:

- a) 2018
- b) 2019
- c) 2020
- d) 2021
- e) 2022
- d) 2023 (to date)

Section 12(1) applied, please see above.

Cont.../

If possible, please also:

2) Indicate the original (outside the UK) medical treatment.

Section 12(1) applied.

3) The subsequent treatment the patient received in the UK, at your trust

Section 12(1) applied.

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), 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
esh-tr.foi@nhs.net