

FOI 2453

14 June 2024

## **FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST**

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**Q1. From the years 2013 to 2023 inclusive, how many litigation actions have been taken against the trust over medical negligence in connection with the mis-treating of smear tests processing and results? Please could you provide an annual breakdown?**

**Response:**

There has been 7 litigation actions in total from 2013 – 2023.

Due to the low number of actions these have not been broken down by specific year as releasing this information has the potential to lead to the identification of an individual (s).

The Trust has applied Section 40 (2) (third party information) of the Freedom of Information Act 2000 to exempt this information. In reaching this decision the Trust has taken into account the small geographical area which the Trust serves and the level of media reporting in respect of the subject matter. In addition the Trust has taken into account the fact that all information disclosed in response to an FOI is disclosed to the 'world at large' and is published on the Trust website.

S 40 (2) (third party information) of the Freedom of Information Act 2000 has been applied to exempt the redacted information from disclosure. The Trust does not consider the disclosure of the redacted information to be fair to the individuals concerned as there is the potential risk of identification of an individual(s) which they would not expect, and which would therefore breach the fairness element of the first principle of the Data Protection Act 2018.

**Q2. From the years 2012 to 2023 inclusive, how many of these legal or litigation actions have been settled by the trust? Please could you provide an annual breakdown?**

**Response:**

< 5 cases have been settled.

Due to the low number of actions these have not been broken down by specific year as releasing this information has the potential to lead to the identification of an individual (s).

The Trust has applied Section 40 (2) (third party information) of the Freedom of Information Act 2000 to exempt this information. In reaching this decision the Trust has taken into account the small geographical area which the Trust serves and the level of media reporting in respect of the subject matter. In addition the Trust has taken into account the fact that all information disclosed in response to an FOI is disclosed to the 'world at large' and is published on the Trust website.

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