

16 July 2019

Information Rights & Compliance Team
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Our Ref: FOI/03362

Thank you for your request concerning Duty of Candour reporting and recording.

Your request has been considered and processed in accordance with the requirements of the Freedom of Information (FOI) Act 2000.

We are interested in finding out more about how incidents where patients are restrained are managed in services, particularly in relation to when the restraint has caused harm, either physical or psychological.

We aim to look at the year from 1st April 2017 - 31st March 2018 and request that you share the following data:

The number of restrictive practices that have occurred in your trust in this time frame so as to better understand:

- 1. How many of those caused physical or psychological harm of a moderate or severe nature (as defined in Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 20)**
- 2. How many incidents of restraint required the organisation to follow duty of candour procedures due to the nature or degree of harm caused (as defined in regulation 20)**
- 3. How many of the above resulted in Safeguarding referrals.**

We are unable to provide this information within the time limit. To supply the information requested would involve reviewing each of the 1,545 reported restraints and to carry out this task would exceed the appropriate cost limit of £450¹.

Under section 12 of the FOIA a public authority does not have to comply with a request for information if the cost of compliance exceeds the appropriate limit.

For example based on the numbers of restraints quoted above, this would mean looking at each record to see if there was any harm caused as a result of the restraint. It is estimated that it would take approximately 5 minutes to manually review each individual record to extract the information, i.e. 128.75 hours @ £25ph = £3,218.75.

Should you require further clarification or like to discuss payment, please do not hesitate to contact me.

¹ Section 12 - Cost of compliance exceeds the appropriate limit has been applied

Please find enclosed an information sheet regarding copyright protection and the Trust's complaints procedure in the event that you are not satisfied with the response.

Yours sincerely

Sue Smith

Sue Smith
Information Rights Officer

Enc: Copyright Protection and Complaints Procedure Information Leaflet.

If you would like to complete a short survey in relation to your Freedom of Information request please scan the QR code below or click [here](#).

