

Date: **6 November 2019**

Our reference: **FOIRQ5498**

Dear Sir/Madam,

Thank you for your request for information, which we have processed under the Freedom of Information Act 2000. Please see our response to your following request for information:

Your Request and Our Response (in bold)

Please see our response to your following request for information from Great Ormond Street Hospital for Children NHS Foundation Trust:

How many patients have you treated for complicated skin and soft tissue infections (cSSTI) in the last 12 months with the following:

Please see the following figures (in bold):

Ceftaroline (Zinforo) 0
Flucloxacillin 1840
Meropenem (Meronem) 396
Teicoplanin (Targocid) 585
Tigecycline 20
Vancomycin 594

How many patients have you treated for community acquired pneumonia in the last 12 months with the following:

Please see the following figures (in bold):

Ceftaroline (Zinforo) 0
*Ceftriaxone 5<***
Ceftobiprole (Zevtera) 0
Co-Amoxiclav 14
Isavuconazole (Cresemba) 0
Meropenem (Meronem) 12

How many patients have you treated mucormycosis with the following in the last 12 months

Please see the following figures (in bold):

Amphotericin B/amphotericin liposomal (AmBisome) 0
Isavuconazole (Cresemba) 0

Posaconazole (Noxafil) **0**

How many patients with Gram negative infections, have you treated in the last 12 months with:

Please see the following figures (in bold):

Amoxicillin/clauvanate **0**

Piperacillin/tazobactam **<5****

Ceftazidime/avibactam **0**

Ceftolozane/tazobactam **0**

Carbapenems (e.g. Ertapenem, Imipenem, Meropenem) **<5****

Aminoglycosides (e.g. Gentamicin, Amikacin Tobramycin) **<5****

Cephalosporins (e.g. Cefotaxime, Ceftazidime, Ceftriaxone) **<5****

Quinolones (e.g. Ciprofloxacin Levofloxacin , Ofloxacin) **<5****

Please note: **Great Ormond Street Hospital for Children NHS Foundation Trust (the 'Trust') is withholding information where the number of patients is 5 or less (<5) covering the period specified. The Trust is withholding this information in order to reduce the risk of identifying an individual. The Trust believes that in providing this information would significantly increase the risk of individuals being identified. The Trust believes that Sections 40(2) is applicable in withholding the information where it could be considered a breach of their rights under the Data Protection Act DPA) 2018. The grounds for applying this exemption are as follows:

- **In the context of your request, this data is third party information. The Trust categorises the information about our patients' health as information falling within paragraph (e) of the definition of "sensitive personal data" in s.2 of the DPA 2018. As such, Section 40(2) of the FOIA applies to this information, as does the Trust's duty of confidentiality. Therefore under s.2(3)(f)(ii) of the FOIA, there is an absolute exemption from disclosure on the grounds that it would contravene the First Data Protection Principles.**
- **The Trust has a duty under the DPA 2018 and the First Data Protection Principle to process personal data regarding the Trust's patients fairly and lawfully and, in particular, not process data unless at least one of the conditions in Schedule 2 DPA is met, and in the case of sensitive personal data, at least one of the conditions in Schedule 3 DPA is also met.**
- **The Act has defined "sensitive personal data" to include data on the "physical or mental health or condition" of a person (s.2)(e) DPA). Any medical information about specific individual falls**

within this category and disclosure of this data to a FOI applicant would be processing sensitive personal data of those patients.

In line with the guidance from the Information Commissioner's Office based upon the requirements of the Data Protection Act the Trust has considered first whether it would be "fair" to process and disclose the requested information, and whether it would be lawful to disclose the requested information before considering whether any Schedule 2 and Schedule 3 conditions have been met. Disclosing medical information to the public regarding the Trust's patients is likely to lead to emotional distress of the patients and their families. It is also the Trust's position that there is a reasonable expectation on the part of the Trust's patients and their families that their sensitive personal data would not be disclosed to FOI applicants.

A breach of this expectation would have the effect of the data being processed unfairly. The information that forms part of the medical records of an individual is therefore implicitly confidential. The courts and the Information Commissioner have long recognised the strong public interest inherent within keeping confidential medical information confidential. The Trust holds the view that Section 41 (1) of the FOIA is applicable for the reasons that: the information was obtained by the Trust; it has the necessary quality of confidence (being neither generally accessible nor trivial); and disclosure of this information to an FOI applicant would give rise to an actionable breach of confidence.

Please note:

The information we have provided under the Freedom of Information Act 2000 is the information held on the date your request was received by the Trust.

We hope the information provided is sufficient and helpful in answering your questions or any issues or concerns. Should you have any further queries in relation to this request, please do not hesitate to contact the FOI Team and quote the above reference number on any related correspondence.

Re-use of information

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Yours sincerely

Freedom of Information team

Great Ormond Street Hospital for Children NHS Foundation Trust

Email: foiteam@gosh.nhs.uk

[Enclosed – Your rights – see next page]

Your Rights

Should you remain dissatisfied with the response you have received to your request for information, please contact the FOI Team to make a request for an internal review within two months from the receipt date of our response to your original request. You can also write to the Head of Quality & Safety at the following address:

Quality & Safety team
Great Ormond Street Hospital
LONDON
WC1N 3JH

If, however, you remain dissatisfied with the outcome of the internal review then you have the right to appeal to the Information Commissioner as the final stage of the FOI process. You can contact the Information Commissioner's Office at the following address:

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