

Date: **26 August 2020**

Dear Sir/Madam

Your Request for Information – FOIRQ5851

Thank you for your request for information received and recorded under the above FOI reference number. Please see our response to your following request for information from the Great Ormond Street Hospital NHS Foundation Trust (the **Trust**):

You have requested the following:

1. How many members of staff (full-time and part-time) directly employed by your trust have died after testing positive for Covid-19? **2 members of staff have died from COVID-19**
2. How many BAME staff (full-time and part-time) directly employed by your trust have died after testing positive for Covid-19? **One**
3. Where possible, please provide details of:
 - 3a. Age
 - 3b. Gender
 - 3c. Occupation
 - 3d. Nationality

of staff members who have died after testing positive for Covid-19.

In order to protect patient confidentiality this could be presented in such a format:

For example:

Occupation:

Doctor – 1

Nurse – 7

Etc

Gender:

Male – 3

Female – 5

Our Response

We have given careful consideration to your request and have conducted a search for information falling within its scope and can confirm that we hold all of the requested information.

Exemptions Applied

The information you have requested under limbs 3(a) – 3(d) is exempt from disclosure under the provisions of the Freedom of Information Act 2000 (**FOIA**) and accordingly has been withheld from the response provided. We set out below the exemptions relied upon and the reasons why they have been applied.

Section 38

We have not provided the biographical information requested under limbs 3(a) – 3(d) on the basis that it would be likely to impact upon the mental health of the relatives of the staff members who have been identified. Section 38 acts to exempt information from disclosure where such disclosure would or would be likely to endanger the health and safety of individuals. As there are only two staff members, providing this additional information could lead to their identification. As this information is not in the public domain, such disclosure would be likely to cause distress to the surviving relatives of these individuals, particularly to those who requested not to have information about one of the deaths publicly shared. The Trust considers, at this sensitive point in time, that the public interest in withholding this biographical information outweighs the public interest in its disclosure.

Section 40

We have not provided the biographical information requested under limbs 3(a) – 3(d) on the basis that it represents the personal data of the living relatives of the staff members and is therefore exempt by virtue of Section 40(2) of the FOIA. The disclosure of this information would significantly increase the risk of the living relatives of the staff members being identified, as the information only relates to two staff members. Section 40 provides that information is exempt from disclosure where it is the personal data of a third party and to release it would contravene the data protection principles set out in the General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018 (together, the **Data Protection Legislation**). The Trust has balanced its obligations under the FOIA and the Data Protection Legislation in relation to the disclosure of the information, and has not provided the personal data it considers to be identifiable on the basis that such disclosure could be harmful or have adverse effects on those individuals.

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, 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 have any questions relating to the response you have received to your request for information, please do not hesitate to contact the FOI Team. Alternatively, you are entitled to make a request for an internal review within two months from the date of receiving our final 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

Telephone: 0303 123 1113
Fax: 01625 524510