



GIG  
CYMRU  
NHS  
WALES

Bwrdd Iechyd Prifysgol  
Bae Abertawe  
Swansea Bay University  
Health Board

Cadeirydd/Chair: **Emma Woollett**  
Prif Weithredwr/Chief Executive: **Mark Hackett**

**gofalu am ein gilydd, cydweithio, gwella bob amser**  
**caring for each other, working together, always improving**

Rydym yn croesawu gohebiaeth yn y Gymraeg ac yn y Saesneg. We welcome correspondence in Welsh or English.

Dyddiad/Date: 2<sup>nd</sup> August 2021  
Ein Cyf / Our Ref: 21-G-004

☎ 01639 648363

✉ FOIA.Requests@wales.nhs.uk

[REDACTED]

Corporate Services  
Headquarters  
1 Talbot Gateway  
Baglan  
Port Talbot, SA12 7BR

[REDACTED]

I refer to your Freedom of Information Act Request acknowledged by ourselves on 5<sup>th</sup> July 2021. Your request sought information relating to accidents in the workplace.

You requested;

**1. Details of any accidents at work involving NHS employees which occurred in Morriston Hospital between November and December 2018.**

Between 01.11.18 and 31.12.18 there were 102 incident reports logged on our reporting system "Datix" relating to accidents in Morriston Hospital involving NHS employees. Please note that this also includes incidents of aggression, physical and verbal abuse towards staff members by patients and visitors as well as physical accidents such as trips, falls and cuts etc.

**2. Copies of incident reports and any supporting documentation prepared by the Health Board in respect of such incidents at Morriston Hospital as identified in point 1.**

This information is withheld under Section 31(1)(g). This exemption provides that information is exempt if its disclosure would, or would be likely to, prejudice functions exercised for a number of specified purposes including:

- the purpose of ascertaining the cause of an accident
- the purpose of protecting persons other than persons at work against risk to health or safety arising out of or in connection with the actions of persons at work.



Pencadlys BIP Bae Abertawe, Un Porthfa Talbot, Port Talbot, SA12 7BR / Swansea Bay UHB Headquarters, One Talbot Gateway, Port Talbot, SA12 7BR

Bwrdd Iechyd Prifysgol Bae Abertawe yw enw gweithredu Bwrdd Iechyd Lleol Prifysgol Bae Abertawe  
Swansea Bay University Health Board is the operational name of Swansea Bay University Local Health Board

The Health Board's management of specific incidents and the conduct of investigations for the purpose of reviewing and improving processes and reducing risk should not be adversely affected by the prospect of disclosure under FOIA.

There is a real and significant risk that disclosure in response to FOIA requests would have an adverse impact on the quality of information supplied by staff and that this will prejudice function relating to the monitoring and improvement of healthcare. The effectiveness of incident reporting depends heavily on the willingness of Health Board staff, when reporting incidents, to provide full and open accounts of events. They do so with a reasonable expectation of confidentiality. Certainly they have an expectation that any information they supply when reporting a serious incident will be used only for the purpose of investigating and managing the incident and ensuring that necessary lessons are learnt.

### **The public interest test**

Section 31 FOIA is a conditional or qualified exemption. This means that, even where it is considered to apply, it may be relied on only if the public interest in applying the exemption outweighs the public interest in disclosure.

The Health Board recognises that there is a significant public interest in knowing about incidents involving accidents at work. We also appreciate that there is a public interest in openness and transparency generally. However, insofar as the detailed information requested by you is concerned we consider that the public interest in disclosure does not outweigh the public interest in applying the s31 (1) (g) exemption read together with section 31(2) (e) and (j). This is because it is overwhelmingly in the public interest that the systems in place within NHS bodies, such as this Health Board, for the investigation and management of specific incidents and of risk more generally should be as effective as possible. There is an obvious and very considerable public interest in avoiding adverse impact on the quality of incident reporting where this will prejudice the ability of the Health Board to ensure lessons are learnt, to take corrective action to address risks and improve patient outcomes.

The Health Board's conclusion therefore is that there is a real and significant risk that the disclosure of incident reports in response to FOIA requests will have an adverse impact on the quality of information supplied by staff and that this will prejudice functions relating to the monitoring and improvement of healthcare which are exercised by the Health Board for the purposes set out above and provided for by Section 31(1) (g) FOIA read together with section 31(2) (e) and (j).

I hope this information is helpful. If you require anything further please contact us at [FOIA.Requests@wales.nhs.uk](mailto:FOIA.Requests@wales.nhs.uk).

Under the terms of the Health Board's Freedom of Information policy, individuals seeking access to recorded information held by the Health Board are entitled to request internal review of the handling of their requests. If you would like to complain about the Health Board's handling of your request please contact me directly at the address below or register your complaint via [FOIA.Requests@wales.nhs.uk](mailto:FOIA.Requests@wales.nhs.uk).

If after Internal Review you remain dissatisfied you are also entitled to refer the matter to the information commissioner at the Information Commissioner's Office (Wales), 2<sup>nd</sup> Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH. Telephone Number: 029 2067 8400.



Yours sincerely



Pam Wenger  
**Director of Corporate Governance**

