



Wrightington, Wigan and Leigh Teaching Hospitals

NHS Foundation Trust

Information Governance Department

Suite 9

Buckingham Row

Brick Kiln Lane

Wigan

WN1 1XX

Email: foi@wwl.nhs.uk

Web: www.wwl.nhs.uk

Ref: FOI/2024/10219

Date Received: 17th October 2024

Response Due: 15th November 2024

Date: 15th November 2024

Dear Sir/Madam

With reference to your request for information received on 17th October 2024, I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 that we do hold part of the information you have requested. A response to each part of your request is provided below.

In your request you asked:

In a Freedom of Information request the Trust has stated that it has a policy not to release data where the information involved is less than 5.

The reason given is: that the low numbers could make the individuals involved identifiable.

1. Could I please ask you to supply a copy of the policy that is being referred to here.

The Trust does not have a specific policy regarding the use of "Less than 5", however, the Trust follows best practice recommended by the Information Commissioner when applying section 40 exemption in situations where the release of small numbers could lead to the identification of data subjects.

Moving forward, the Trust aims to change the above statement to remove the word "policy" and replace with "standard practice" to alleviate further confusion.

2. Could I also ask for an explanation as to why the Trust considers that there is an increased risk that individuals could be identifiable if instead of supplying the figure <5 the Trust gave the actual number ie 1, 2, 3, 4 or 5. What is it in the data that allowing the public to know that there were 3 instances or that there were 2 instances (as opposed to stating there were less than 5 instances) increases the ease with which the public (if they wanted to do so) could identify the individuals concerned?

The Trust reviews every FOI on its individual merit. In situations where the Trust would apply a section 40 exemption and have stated less than 5, the Trust has determined that the information released would identify individuals when combined with other information sources publicly available.

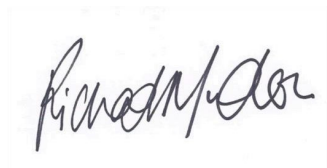
The Trust gives the figure of less than 5 when applying a section 40 exemption, to provide the applicant with a level of information to support their request.

3. What additional information is given by stating the actual number that would increase the risk of an individual being identified from the data supplied in answer to the FOI request?

The risk of supplying the actual number varies depending on each Freedom of Information request and is determined upon compiling a response.

If you are not entirely satisfied with this response, please do not hesitate to contact the Information Governance Department via the email address provided. If we do not hear from you within 40 days, we will assume that we have been able to accommodate your request under the Freedom of Information Act 2000.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Richard Mundon', is enclosed in a thin black rectangular border.

Richard Mundon
Director of Strategy and Planning

PLEASE NOTE:

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to: Information Governance Department, Wrightington, Wigan and Leigh NHS Foundation Trust, Suite 9, Buckingham Row, Brick Kiln Lane, Wigan, WN1 1XX.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision at:

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

Helpline number: 0303 123 111