

Dear

FREEDOM OF INFORMATION REVIEW – DELAYED DISCHARGE

I write in response to your request for review of NHS Lothian’s response to your Freedom of Information request about the longest delayed discharge. Having discussed your request and our response of, 1 May 2024, with our Caldicott Guardian and Information Governance Manager I can respond as follows:

Original Request and Response:

Question:

1. Annually, since 2015, the longest time a single patient remained in a hospital in your health board due to delayed discharge. Please provide both the total length of their stay, and the length attributable to delayed discharge.

Answer:

I must advise that due to the specific nature of your request it is not possible to provide an answer. The information is considered exempt under Section 38(1)(b) of the Freedom of Information (Scotland) Act 2002 – personal information. The requested information would allow for the identification of a singular individual and cannot be masked in a way that would allow us to respond.

Review Request:

I would like to request a review of this decision. Multiple other health boards have fully complied with this request, demonstrating that the overwhelming consensus of FOI officers is, rightly, that providing this information is appropriate under the FOI act. This does not compromise personal information. It is totally anonymised, much like the data either publicly published or obtained through FOI requests for so much other NHS patient activity.

Review Response:

Response for patients discharged during the indicated year

Year*	Median Time in Delay (days) for longest 5% of delays**	Median Length of Stay (days) for those delays identified in previous column
2015	*	*
2016	*	*
2017	*	*
2018	142	197

2019	120	198
2020	88	179
2021	102	178
2022	135	206
2023	126	206
2024	n/a	n/a

*Note that the way delayed discharge information was collected changed at the end of 2016 and information before this is not readily available and information for 2017 may not be complete

** PHS Definition of Delays (excluding 100s)

Please note that we have provided median of days so that identities of individual patients are concealed. Since we do not have their consent to release this data from their records, the information is exempt under section 38(1)(b) of the Freedom of Information (Scotland) Act i.e. to provide it would breach the Data Protection Act (2018).

If you are not satisfied with this response you still have the right to make a formal complaint to the Scottish Information Commissioner who you can contact at the address below or using the Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/Appeal. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

Scottish Information Commissioner
 Kinburn Castle
 Doubledykes Road
 St Andrews, Fife
 KY16 9DS
 Telephone: 01334 464610
 Fax: 01334 464611
 e-mail: enquiries@itspublicknowledge.info

Yours sincerely

**Freedom of Information Reviewer/
 NHS Lothian**
 cc: Executive Nurse Director