

Date 09/12/2025  
Your Ref  
Our Ref 10828

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Dear

## FREEDOM OF INFORMATION – DELAYED DISCHARGE

I write in response to your request for information in relation to delayed discharge.

Question:

1. **The number of adult inpatients** (aged 18+) in NHS Lothian hospitals in each of the last three financial years (2022/23, 2023/24, and year-to-date 2025) who were recorded as being *delayed in hospital discharge* due to:
  - o a) Absence of a registered Power of Attorney; and/or
  - o b) A pending or required guardianship order.
2. The **average and longest length of delay** (in days) for patients where (a) or (b) above was a contributing factor.

Answer:

Date	Number of patients in delay under code 9_51X	Average length of delay (days) under code 9_51X where date represents discharge year
2022/23	263	72
2023/24	242	63
2024/25	229	71
2025 to date	161	73

1. All PHS delay codes within the 9\_51X category are included - these may not be specifically related to lack of power of attorney or pending guardianship
2. A patient is counted once if in delay (under code 9\_51X) for any part of a day in the noted period
3. The same patient may be represented in more than one year group
4. Longest delays cannot be provided due to possible patient identification as a result
5. Average LOS of delay is the sum of days in delay under code 9 for discharges in year divided by number of discharges

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Chair Professor John Connaghan CBE  
Chief Executive Professor Caroline Hiscox  
Lothian NHS Board is the common name of Lothian Health Board

Question:

3. Any available internal data or assessments regarding the **impact of capacity-related discharge delays** (e.g., cost to NHS, bed occupancy, or patient outcomes).
4. If available, any **policy documents, guidance, or reports** produced by NHS Lothian or the relevant Health and Social Care Partnership relating to capacity, guardianship, or Power of Attorney and hospital discharge.

Answer:

I am advised by the Finance Department of NHS Lothian that we do not calculate the cost of delayed discharges and bed day costs are available in the NHS Cost Book via Public Health Scotland - <https://www.isdscotland.org/health-topics/finance/costs/>. As per Section 17 of the Freedom of Information (Scotland) Act 2002 formally I must advise that we do not hold this information.

In terms of local initiatives, we have POA resources on our website and undertake local campaigns to promote uptake of POA across the HSCPs..

[Power of Attorney - Health & Social Care Partnership](#)

[Discharge and Transfer Policy](#)

[Discharge and Transfer – Policy Online](#)

I hope the information provided helped with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at [www.itspublicknowledge.info/Appeal](http://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.

If you require a review of our decision to be carried out, please write to the FOI Reviewer at the email address at the head of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.



FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhsllothian.scot/FOI/Pages/default.aspx>

Yours sincerely

**ALISON MACDONALD**  
**Executive Director, Nursing**  
Cc: Chief Executive