

Date: 05/10/2026
Our Ref: 11838R
Enquiries to: loth.freedomofinformation.nhs.scot

Dear

FREEDOM OF INFORMATION REVIEW – NEONATAL INTENSIVE CARE UNIT

I write in response to your request for review of NHS Lothian's response to your Freedom of Information request about NHS Lothian's Neonatal Intensive Care Unit.

Having discussed your request and our response of 18 August 2026 further, I can respond as follows:

Original Request and Response:

Question:

Please can you provide the number of admissions to your NICU and number of times the NICU has been closed at Royal Infirmary of Edinburgh from 2021 - 2026 and the reason why.

Answer:

The table below details the number of admissions to the Neonatal Intensive Care Unit during this period:

Neonatal Intensive Care Unit admissions, 2021-2026, NHS Lothian	
Year	Number of admissions
2021	840
2022	789
2023	942
2024	828
2025	759
2026 (January - May)	354

Information about the number of times the neonatal unit has been closed to admissions due to capacity is not collected centrally. This information is recorded on daily capacity sheets held in the unit, but in order to provide the information you request it would be necessary to review each sheet record over the 6 years you have specified, requiring significant resources. Under section 12 of the Freedom of Information (Scotland) Act 2002, NHS Lothian is not required to respond to your request if the resources required to do so equate to more than £600 in cost.

Review Request and Response:

Question:

I request an internal review of this response. In particular, I would ask the reviewer to consider whether the information can be provided in a more proportionate form, for example:

1. The total number of days the NICU was closed to admissions due to capacity in each year from 2021–2026.

Answer:

A review of the daily capacity sheets has been carried out, and we are now able to provide the following information. These sheets were not designed for reporting purposes, but rather to support operational awareness. As such, they should not be interpreted or used for reporting purposes:

We can provide the number of closure occasions. The daily capacity record notes the unit's status when completed but does not record when a closure started or ended, so days or duration cannot be derived.

The number of occasions on which the neonatal unit at the Royal Infirmary of Edinburgh was closed to admissions:

2021: 1
2022: 3
2023: 2

Figures for 2021 to 2023 record only those closures that were separately escalated at the time. They are not a complete count, do not cover duration and should not be compared with data for later years.

2024: The capacity sheet was redesigned during 2024 to make it more responsive operationally, and as a result more information about the unit's status was recorded. 77 closures were recorded in 2024, though this does not make clear the duration of a closure, which could vary significantly from an hour to a shift, or a day depending on the circumstances.

The increase from 2023 reflects this change in recording rather than a change in the service.

2025: 79 occasions closed to all admissions, and on a further 135 occasions closed to external admissions only.

From 2025 the record distinguishes between

- the unit being closed to all admissions, including babies born at the Royal Infirmary of Edinburgh,
- and being closed only to transfers in from other units while continuing to admit babies born within the Royal Infirmary of Edinburgh.

That distinction was not recorded before 2025.

2026 (January to July): 8 occasions closed to all admissions, and a further 76 occasions closed to external admissions only.

The records do not allow closures due to capacity to be separated from closures for other reasons, such as staffing or acuity. The figures above for (2024-2026 therefore cover all possible closure reasons.

Question:

2. If the exact number cannot be provided without reviewing every individual daily sheet, please provide whatever annual or monthly totals are already available.

Answer:

The totals have now been provided by reviewing the daily capacity sheets.

Question:

3. If those totals genuinely do not exist, please explain why this information is not routinely collated.

Answer:

The daily capacity record is an operational tool. It exists so that the unit, the wider maternity service and the on-call team can see the position at the start of each shift and act on it that day. Whilst recorded information, it was not designed as a reporting dataset and should not be interpreted or used as such.

Question:

4. Please also clarify whether there is a central system, electronic record, capacity report, escalation log or other mechanism from which NICU closures can be identified without manually reviewing every daily capacity sheet.

Answer:

There is no central system, electronic capacity report or escalation log from which closure status can be extracted, and no automated reporting drawn from those records.

Question:

5. If providing six years of data exceeds the cost limit, please consider narrowing the request to 2025 and 2026 rather than refusing the request in its entirety.

Answer:

The totals have now been provided for the period 2021-2026.

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 <https://www.foi.scot/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
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Doubledykes Road
St Andrews, Fife
KY16 9DS
Telephone: 01334 464610
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Yours sincerely

Freedom of Information Reviewer