

Information Governance Department

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WN6 9EP

Tel: 01257 256335
Email: foi@wwl.nhs.uk
Web: www.wwl.nhs.uk

Ref: FOI2015/2563
Date Received: 20th March 2015
Response Due: 21st April 2015

30th March 2015

Dear ,

INFORMATION REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000

We are now pleased to respond to your request for information under the Freedom of Information Act.

You asked:

Does this Trust conduct Public Health Funerals (burials of individuals with no known family or 1. next of kin)? **Yes**

2. How many public Health funerals has the Trust conducted since January 2014 to the present (if applicable)?
Nine (9)

3. Can you list the names of all the deceased individuals the Trust has carried out public Health funerals for since January 2014 (if applicable)

4. Can you list the last known address of all the deceased individuals the Trust has carried out public Health funerals for since January 2014 (if applicable)

5. Can you list the date of birth and date of death of all the deceased individuals the Trust has carried out public Health funerals for since January 2014 (if applicable)

Questions 3, 4 and 5

Refusal Notice: Section 41 – Information provided in confidence

Section 41 of the Act sets out an exemption from the right to know where the information requested was provided to the public authority in confidence. It has been confirmed by the Information Tribunal that the duty of confidentiality does continue after the death of an individual to whom that duty is owed. Where there is a legally enforceable duty of confidentiality owed to a living individual, after death it can be enforced by the deceased's personal representative. Every person on death has a personal representative and it will not be necessary to identify the individual who has this responsibility. This principle is of particular relevance to those public authorities holding records about an individual's personal details, such as health records, banking details or the provision of care.

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6. Can you list whether or not the deceased individuals the Trust has carried out public Health funerals for since January 2014 details have been referred, or will be referred (or even might be referred) to the Treasury solicitor (if applicable).

Since January 2014 the Trust has referred 3 deceased patients on to the Treasury Solicitor, with the remaining 6 patients there was not a necessity to contact the Treasury Solicitor as all these deceased patients had known next of kin

7. Has the Trust passed on any of this information (or similar information) on an informal basis or as a formal FOI request to another individual or company, if yes, what is the name of the individual/ company

Refusal Notice; Section 40 (2) Personal data

The information that you have requested is exempt under Section 40 (2) of the Freedom of Information Act, Personal Information and therefore we are not able to provide any details of who has submitted requests previously. Personal data of a third party is exempt under section 40(2) if its disclosure to a member of the public would contravene one or more of the data protection principles.

8. Is there an individual or department in charge of carrying out the Trusts public Health Funerals? If yes, can you send me their names, emails and phone numbers?

Mr N M Bastow Trust Facilities Manager Nick.bastow@wwl.nhs.uk Telephone 01942 773872

9. What is the name of the person(s) who refers information to the Treasury Solicitor? Can you send me their name, email and phone number?

Mr N M Bastow Trust Facilities Manager Nick.bastow@wwl.nhs.uk Telephone 01942 773872

I hope you find this information useful, however if you are not entirely satisfied with this response please do not hesitate to contact the Information Governance Department on 01257 256335. If we do not hear from you within 28 days we will assume that we have been able to accommodate your request under the Freedom of Information Act 2000.

Yours sincerely,



Rob Forster
Acting Chief Executive

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Wrightington, Wigan and Leigh

NHS Foundation Trust

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, WrightingtonHospital, Hall Lane, AppleyBridge, Wigan, WN6 9EP

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally the ICO cannot make a decision unless you have exhausted the complaints procedure at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

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