

Ref: FOI2020/6099

Date Received: 31st July 2020

Response Due: 1st September 2020

Date: 28th August 2020

Dear Sir/Madam

INFORMATION REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000

You asked:

Could you please tell me between 1st March 2020 and the date of this email (31st July 2020):

1) How many PALS enquiries and official complaints your Trust has received from patients concerned about

a) The impact of the coronavirus pandemic and your Trust's response on their access to cancer treatment

No formal complaints or enquiries were received in this period. However, two formal concerns were raised in relation to access to cancer treatment, as per the search criteria provided.

b) And access to cancer testing - including tests to find out whether their cancer has spread, returned or occurred for the first time

No formal complaints, concerns or enquiries were received in relation to access to cancer testing, as per the search criteria provided.

NOTE: I suggest you search for these complaints by using the keywords 'cancer treatment', 'chemotherapy', 'cancer testing', 'coronavirus', 'COVID-19' and other relevant terms.

2) For the five most recent PALS enquiries/official complaints received, please provide me with

a) a summary of the complaint (e.g. a patient with stage 4 lung and breast cancer has contacted PALS to complain about their chemotherapy being indefinitely suspended)

Concern One - Relative concerned about her brothers health. He has been diagnosed with bowel cancer and is in a lot of pain. Awaiting surgery so that he can start chemotherapy, but no date given yet.

Concern Two - Complainant unhappy with delay for procedure, they were told that the procedure would be done within two weeks as per guideline; however, they have not been able to get the procedure booked in.

b) the exact wording of the complaint, with redactions to remove potentially identifying information

Concern One - This formal concern was received verbally thus we are unable to provide this information.

Concern Two – Outline of concern received - Relative unhappy with delay in procedure.

Please see refusal Notice (below) regarding the exact wording received in relation to concern two.

Refusal Notice: S40 (2) Personal Information.

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. The Trust believes that to release this data would be in contravention of the first data protection principle. The first principle requires personal information to be:

- processed 'fairly'
- processed 'lawfully'

and not processed at all unless one of the 'conditions' for fair processing is met. Section 40 is subject to the Public Interest Test.

A distinction can be drawn between information that relates to the private and public lives of a third party when considering whether disclosure would be fair. A disclosure would also be unlawful if it would place the organisation disclosing the information in breach of the Human Rights Act 1998.

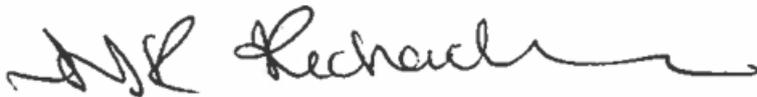
c) What action the Trust took in response

Concern One Outcome – Liaised with the Cancer Care Team and consultants and an appointment for surgery has now been set

Concern Two Outcome – Patient Relations Department contacted the service manager to arrange a procedure for the patient. Procedure has now been arranged.

I trust that this information is helpful to you, however if you are not entirely satisfied with this response please do not hesitate to contact the Information Governance Department on 01257 488271. 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,



Helen Richardson
Chief Nurse and Director of Infection Prevention and Control

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, Wrightington Hospital, Hall Lane, Appley Bridge, 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