

## Freedom of Information Request

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**Reference Number:** [EPUT.FOI.21.2293 \(Review Response\)](#)  
**Date Received:** [15 January 2022](#)

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### Information Requested:

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Can I please ask you to reconsider your response as NHS England have not published the data I am interested in, i.e. the answer to 2.a.

To lower the burden on your Trust, can I therefore please have a response to questions 1.a and 2.a?

Please note that other Trusts have been able to answer 1.a and 2.a by splitting the answer to 1.a by parts 1 and 2 of the death certificate. Can you please do the same?

If you are still unable to answer those two questions, can you please explain how it is possible that you do not record what patients in your care die of?

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### Response

1.a) How many people have died in your hospitals within 28 days of testing positive for COVID-19?

The Trust confirms that within the timeframe requested, there have been 46 Covid deaths reported on the National System. Of the reported deaths, 45 deaths were within 28 days of testing positive for Covid.

Due to meeting the requirement for national reporting, information is not gathered and stored to identify which section on the Death Certificate Covid was reported under.

At the time of the death, the usual processes occur in regards to managing the death of an inpatient and whether any further investigation is required. Death certificates are handed to relatives therefore; EPUT does not keep Death Certificates on file to review and confirm if Covid was reported under Part 1 or Part 2 of the death certificate.

2.a) How many people have died in your hospitals **purely and only due to** COVID-19?

Unfortunately, to answer this question would require a manual clinical trawl exceeding the time and cost limits, as set out in the Act. The Trust is therefore applying Section 12 of the Act (where cost of compliance exceeds appropriate limit. However, you may be able to obtain this information from the register of births, deaths and marriages or coroner's office.

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## Applied Exemption

### Section 12 (Exemption where cost of compliance exceeds appropriate limit):

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
  - (a) by one person, or
  - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated

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### Publication Scheme:

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organisation. EPUT’s Publication Scheme is located on its Website at the following link <https://eput.nhs.uk>