

Freedom of Information Request

Ref: 23-529

7 August 2023

By Email

Dear Sir/Madam

Thank you for your request for information under the Freedom of Information Act 2000. The Trust's response is as follows:

- We can confirm that we do hold the information you are requesting

I am writing to request information relating to 'Yellow Cards' and 'Red Cards' given to patients, which deny them treatment.

- **Documents relating to Red and Yellow Card policies which can be used to exclude patients from treatment.**

Please see the attached documents.

The yellow and red card process we follow does not deny a patient emergency treatment and in cases it is not an emergency, staff will direct patients where they can access help. If a patient has received a red or yellow card in one department this does not stop them attending appointments or treatment from other areas, unless of course they have received a red or yellow card from that department.

The nature of the work undertaken by the Trust means that staff are often required to work with patients and visitors who may be in a distressed or disturbed condition, who are anxious or in pain or under the influence of drugs or alcohol. The Trust acknowledges that coming to hospital may be a stressful and frightening experience for patients and their relatives and that in these circumstances, there is an increased potential for these individuals to resort to physical or non-physical violence. Whilst we always aim for a 'zero tolerance' approach it is recognised that violent and aggressive behaviour often occurs in clinical settings due to medical factors or conditions which may include:

- Trauma;
- Dementia;
- Adverse reaction to medication/treatment;
- Mental illnesses or disorders;
- Cognitive impairment;
- Learning difficulties.

This has been in place since the process started.

• **From January 2013 to the most recent available data:**

The number of Yellow Cards and Red Cards issued per month.

Yellow cards: Please note we only hold information from 2018:

2018: 7

2019: 11

2020: 20

2021: 31

2022: 16

2023: 13 to date

Red cards: Please note we only hold information from 2017:

2017: *

2018: *

2019: 6

2020: 13

2021: 24

2022: 15

2023: 9 to date

Please note: These figures do not demonstrate instances where treatment has been refused as detailed above.

Yellow and red cards would have been issued in accordance with the prevailing policy at the time of issue.

Please note: Where the figures are between 1 and 5, this has been denoted by *. Due to the low numbers, we have considered that there is the potential for individuals to be identified from the information provided, when considered with other information that may also be in the public domain. In our view disclosure of these low figures would breach one of the Data Protection Principles set out in Schedule 1 of the Data Protection Act, namely Principle 1. The Trust therefore finds that the Section 40(2) exemption contained within the Freedom of Information Act 2000 is engaged. (Section 40 is the exemption for personal information).

If these are separated by hospital/service (if the trust runs several), can you please indicate what service patients have received a card at or where the card applies.

We have not provided the information in the requested format as we have considered that there is the potential for the individuals to be identified, when considered with other information that may be in the public domain. In our view disclosure of information would breach the Data Protection Act. Therefore please find that Section 40(2) exemption contained within the Freedom of Information Act 2000 is engaged. Section 40 is the exemption for personal information.

This concludes our response. We trust that you find this helpful, but please do not hesitate to contact us directly if we can be of any further assistance.

If, after that, you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Data Protection Officer
University Hospitals Bristol and Weston NHS Foundation Trust
Trust Headquarters
Marlborough Street
Bristol
BS1 3NU

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Publication

Please note that this letter and the information included/attached will be published on our website as part of the Trust's Freedom of Information Publication Log. This is because information disclosed in accordance with the Freedom of Information Act is disclosed to the public, not just to the individual making the request. We will remove any personal information (such as your name, email and so on) from any information we make public to protect your personal information.

To view the Freedom of Information Act in full please click [here](#).

Yours sincerely

Freedom of Information Team
University Hospitals Bristol and Weston NHS Foundation Trust