

**Freedom of Information Request**

**Ref: 23-596**

16 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

**Please provide the number of cases where breast milk of a new mother was given to a child who is not her own at all maternity wards in your Trust.**

**For clarity, I am asking you to please provide the number of instances where a child on a maternity ward was given breast milk from a person who was not their mother.**

**Please provide annual figures for how many times this happened at your Trust for 2017, 2018, 2019, 2020, 2021, 2022 and so far in 2023.**

2017 0

2018 0

2019 0

2020 0

2021 0

2022 \*

2023 to date \*

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. This follows NHS Digital (formerly HSCIC) analysis guidance (2014) which states that small numbers within local authorities, wards, postcode districts, providers and Trusts may allow identification of patients and should not be published.

**Please also give the number of times disciplinary action was taken on a member of staff over these instances.**

**Please provide a breakdown of the outcome of any disciplinary action: How many were cautioned, suspended, terminated etc as a direct result of the mistake.**

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 follows NHS Digital (formerly HSCIC) analysis guidance (2014) which states that small numbers within local authorities, wards, postcode districts, providers and Trusts may allow identification of patients and should not be published.

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**