

Freedom of Information Request

Ref: 24-838

21 November 2024

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 contacting you to request some information as part of a doctoral study aiming to investigate radiotherapy treatment of people with learning disability and/or autism. I would be most grateful if you could answer the following questions:

1 How many people were referred to the oncology department for consideration of radiotherapy treatment in the last three financial years for which data is available?

2021/2022: 2534

2022/2023: 2459

2023/2024: 2652

2 How many people with a confirmed diagnosis of learning disability and/or autism were referred to the oncology department for consideration of radiotherapy treatment in the last three financial years for which data is available?

2021/2022: 22

2022/2023: 28

2023/2024: 27

3 How many people with a learning disability and/or autism declined or were referred elsewhere or deemed not suitable for radiotherapy treatment in the last three financial years for which data is available?

2021/2022: *

2022/2023: *

2023/2024: *

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local authorities, wards, postcode districts, providers and Trusts may allow identification of patients and should not be published.

4 How many people with a learning disability and/or autism received radiotherapy treatment in the last three financial years for which data is available?

2021/2022: 20

2022/2023: 26

2023/2024: 24

5 Of those people with a learning disability and/or autism who received radiotherapy treatment in the last three financial years for which data is available, how many had undergone a mental capacity assessment?

Please note, the Trust does not hold the data in a format that would enable us to fully respond to your request to the level of detail required and a manual trawl for this information would significantly exceed the 18 hours limit set down by the FOI as the reasonable limit. Section 12 of the FOIA provides that we are not obliged to spend in excess of 18 hours in any sixty-day period locating, retrieving and identifying information in order to deal with a request for information and therefore we are withholding this information at this time.

6 Could I have access to your documents outlining the policy and/or process for conducting mental capacity assessments within your trust?

Please see the attached document.

7 What training is delivered to your staff who are making mental capacity assessments to ensure they understand how the Mental Capacity Act affects their work and how to comply with it?

Mental Capacity Act training is monitored and managed by the Corporate Education team for the Trust. All clinical staff complete Level 2 Learn Safeguarding Adults (Level 2). Our legal department also provide ad hoc training on the Mental Capacity Act and cases arising around this.

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