**Negligence**

**Ref: 2467 (February 2017)**

Dear Sarah

Please find below the response to your recent Freedom of Information enquiry from Weston Area Health NHS Trust.

I would like a copy of a report which investigated a man falling from a window at Weston General Hospital.

The information requested is exempt from disclosure under Section 40 of the Freedom of Information Act 2000 (FOIA).  Section 40(2), states that data relating to third parties (i.e. a party other than the person requesting the information) is exempt information.  Although you are requesting the report, disclosure of this information would breach one or more of the Data Protection Principles in the Data Protection Act 1998 (DPA).  Due to the rarity of the incident, disclosure would breach the fair processing principle, as it would be unfair on the person whom the incident relates to and they have a reasonable expectation that the Trust would hold their information in confidence.

If you remain dissatisfied with the decision of the Trust following your complaint, you may write to the Information Commissioner, whose address is:

Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely,

Jo Ward

on behalf of Gillian Hoskins

Associate Director of Governance and Patient Experience

Weston Area Health NHS Trust

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[www.waht.nhs.uk](http://www.waht.nhs.uk)