



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Caerdydd a'r Fro
Cardiff and Vale
University Health Board

Freedom of Information Act 2000 - Request Reference FoI/21/383
Complaints against Ophthalmic Care

Information Requested:

Please release the following information about Ophthalmology care from 1st Jan 2016 to 31 Dec 2020.

1. Please provide a breakdown of how many complaints have been made by patients about ophthalmic care during the above period?

884 concerns have been recorded as being received in this period

2. Please classify how many of the above complaints were settled at PALS and how many progressed to Formal complaints stage, Settlement or court action?

Cardiff and Vale University Health Board (the UHB) does not hold this information. Under our Section 16 obligation to provide advice and assistance, I can inform you that the UHB no longer has a PALS team. Under Putting Things Right legislation (PTR), any complaints not resolved within 48 hours ('early resolution') must be logged as a formal complaint. Complaints do not go to court.

Instead, the UHB will advise requesters of the outcome of the complaint. Where the findings include an acknowledgement from the UHB that a failure of care has led to harm, this would be managed under the redress scheme (providing compensation up to £25,000) and would not proceed to court. Where it is believed the compensation may exceed £25,000, the UHB would instead advise complainants to seek legal advice.

Of the 884 concerns, 3 are recorded as accepting a BOD and progressing to redress. A further 8 were not managed under Redress and advised that it would potentially fall out of value and could not be managed under the Redress scheme, so they may wish to pursue a Claim.

3. If any of the above complaints ended in court then how many had unfavourable judgements against the health board?

2





GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Caerdydd a'r Fro
Cardiff and Vale
University Health Board

4. Please provide a detailed breakdown of the costs incurred to the health board on Settlement or damages awarded to complaints?

After considering your request, the UHB believes that Section 40 of the Freedom of Information Act 2000 applies. Due to the low numbers of individuals involved (5 or less), the UHB believes that, when considered with other information already available within the public domain, disclosure would result in the risk of individuals becoming identifiable. The data requested is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute unfair and unlawful processing in regard to Articles 5, 6, and 9 of GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.

5. Please release if any "lessons learnt" were fed back to the staff as a result of the complaints which resulted in Settlements or court action?

A Learning From Event form is completed for every Redress case and is signed off by the corresponding Clinical Board.

