

Ref. No: 0757  
Date: 06/03/24  
Subject: Delayed / Incorrect Cancer Diagnosis

## REQUEST

1. How many fatalities have been due to cancer wrong diagnosis or failure / delay diagnosis in the last three years (Between 2021-up to and including any data held for 2024)? Can this be broken down by year and presented in PDF format?

For example: The number of incidents where the Primary Cause is 'Wrong Diagnosis' or 'Failure / Delay Diagnosis' and where both injury codes 'Cancer' and 'Fatality' are recorded?

## RESPONSE

St Helens and Knowsley Teaching Hospitals NHS Trust and Southport and Ormskirk Hospital NHS Trust became a single legal entity known as Mersey and West Lancashire Teaching Hospitals NHS Trust on 1<sup>st</sup> July 2023, as such parts of the response may be provided in two sections relating to the hospital sites of each of the legacy organisations.

1. How many fatalities have been due to cancer wrong diagnosis or failure / delay diagnosis in the last three years (Between 2021 - up to and including any data held for 2024)? Can this be broken down by year and presented in PDF format?

Year	Diagnosis Problem
2021	<5
2022	<5
2023	<5
2024 (as of 21/03/24)	0
<b>Grand Total</b>	<b>&lt;5</b>

### Section 40: personal information

We are unable to provide precise figures when those figures refer to individuals in volumes of 5 or less due to the risk that individuals will be re-identified, as we are required to protect their identity under the General Data Protection Regulations & Data Protection Act 2018. In such circumstances Section 40(2) and Section 40(3) of the Freedom of Information Act apply. In this case, our view is that disclosure would

breach the first data protection principle which states that personal data should be processed “lawfully, fairly and in a transparent manner”. It is the lawful aspect of this principle which, in our view, would be breached by disclosure, and in such circumstances, Section 40 confers an absolute exemption on disclosure.