Dear [REDACTED],

REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2015 (“the Act”)

Thank you for your request to the Department of Health and Social Care, dated 28 July 2017.

Your request

You asked for:

Question 01: “Who is the responsible person for the IRB (Independent Review Body) i.e. who is appointed as the secretary or the person that relays the info to the committee. Please provide the information of these people/person for the years 2011 - 2017”

Question 02: “How many complaints have been sent to the IRB between 2011-2017?”

Question 03: “How many expert reports have been requested for medical advice relating to the cases at the IRB annually between the years 2011 - 2017?”

Question 04: “How much money has been paid on an annual basis between 2011 - 2017 in relation to the IRB for the areas specified below:

   a) Expert Medical Opinions
   b) Costs of the Committee
   c) Legal Fees and Advice
   d) Which law firm is used for matters relating to the IRB”

Question 05: “Of the medical experts appointed, how many of the experts actually examined the patient in person between the years 2011 - 2017”

Question 06: “Please provide names of the experts that provided the reports or evidence, the amounts of monies paid to them and the number of reports provided by experts annually for the years 2011 - 2017”

Question 07: “How many complaints made to the IRB have resulted in a claim being made for medical negligence and how many of the claims subsequently received settlement between the years 2011 - 2017”
Question 08: “Can you provide details of the fees paid for medical negligence cases on an individual basis, following an IRB case hearing, between the years 2011 - 2017”

Question 09: “How many cases annually have appealed the decision of the first committee hearing between the years 2011 - 2017?”

Question 10: “On referral to a second committee hearing, how many cases have had to rely on the same information / evidence that was used at the first committee hearing i.e. the same expert reports and or information, between the years 2011 - 2017”

Question 11: “At a final decision of the IRB how many cases were closed and not reopened on an annual basis between the years 2011 - 2017“

Question 12: “. In regards to the answer to the question posed above (question 11) how many of the patients were unhappy with the decision given on an annual basis between the years 2011 - 2017”

Question 13: “How many cases referred to the IRB were closed at the first committee hearing between the years 2011 - 2017, how many of these patients remained unhappy with the decision?”

Question 14: “How many cases referred to the IRB were closed at the second committee hearing between the years 2011 - 2017, how many of these patients remained unhappy with the decision?”

Question 15: “Of the patients that remained unhappy with the decisions made at either the first or second committee hearings, what advice was given to these patients, between the years 2011 - 2017”

Question 16: “In relation to questions 14 and 15 how was the advice given to the patients assessed and whom was responsible for providing this advice to these patients between the years 2011 - 2017”

Response to your request

While our aim is to provide information whenever possible, in this instance the Department does not hold or cannot, after taking reasonable steps to do so, find the information that you have requested (section11(3)(a) of the Act).

However, you may wish to contact the Cabinet Office who may be able to help you. On behalf of the Department of Health and Social Care, the FOI Team apologise that we have not been able to be of more help on this occasion.

Your right to request a review

If you are unhappy with this response to your Freedom of Information request, you may ask us to carry out an internal review of the response, by completing a complaint form and submitting it electronically or by delivery/post to the FOI Co-ordinator, Department of Health & Social Care, Chief Executive's Officer, Crokall House, Demesne Road, Douglas, Isle of Man, IM1 3QA. An electronic version and paper version of our complaint form can be found by going to our website www.gov.im/about-the-government/freedom-of-information/how-to-make-a-freedom-of-information-request/. Your review request should explain why you are
dissatisfied with this response, and should be made as soon as practicable. We will respond as soon as the review has been concluded.

If you are not satisfied with the result of the review, you then have the right to appeal to the Information Commissioner for a decision on:

01. Whether we have responded to your request for information in accordance with Part 2 of the Freedom of Information Act; or
02. Whether we are justified in refusing to give you the information requested.

In response to an application for review, the Information Commissioner may, at any time, attempt to resolve a matter by negotiation, conciliation, mediation or another form of alternative dispute resolution and will have regard to any outcome of this in making any subsequent decision.

Further information about Freedom of Information requests can be found on the Information Commissioner’s website at: www.inforights.im/information-centre/freedom-of-information. Should you have any queries concerning this letter, please do not hesitate to contact us.

Yours Sincerely

Freedom of Information Team
Department of Health and Social Care