



Freedom of Information Request Reference N°: FOI 000894-18

I write in connection with your request for information received by Suffolk Constabulary on the 8 March 2018 in which you sought access to the following information:

“A list of all investigations in to avoidable or preventable deaths in care and nursing homes for older people (or at least those deaths resulting from a form of harm or neglect) where a criminal investigation was undertaken from January 1st 2013 to December 31st 2017, inclusive. Please detail:

- a) names and age of the deceased,*
- b) name and address of the care/nursing home (please specify),*
- c) key dates of incident/death (on some occasions there is a delay before the death),*
- d) copies of all investigatory reports,*
- e) cause of death,*
- f) reason for believing the death was avoidable and,*
- g) outcome to investigation, detailing also where there was no outcome*

If someone’s cause of death in a care home was unexpected and has been determined, by a coroner for example, a criminal investigation is typically undertaken by the local police authority.”

Response to your Request

The response provided below is correct as of 8 March 2018

Suffolk Constabulary has considered your request for information and the response is below.

In relation to your request for information and in accordance with Section 17 of the Freedom of Information Act 2000 (FOIA), this response serves as a formal notification of refusal for your request. Suffolk Constabulary does not hold, for the purposes of FOIA, the information you require in a retrievable format.

It is estimated that to attempt to retrieve all of the information you require would take a considerable amount of retrieval time, which would exceed 18 hours. This would exceed the appropriate limit for dealing with Freedom of Information requests, in terms of costs and therefore Section 12(1) of the Freedom of Information Act 2000 applies.

Information concerning deaths in care homes will be recorded in the same manner as all other incidents and reports and are not easily identifiable, unless there has been a manslaughter or homicide investigation launched as a result. All reports will initially be reviewed to consider whether the investigation amounts to a criminal offence or a neglect type death. In the latter scenario, the information will not be researchable without manually reviewing all care home

incidents and offences, and considering that we would require to know the addresses from which to focus a search.

Considering there will be many thousands of reports received by the Constabulary in the time frame requested, we establish it would take well in excess of 18 hours to ensure all information is supplied as requested.

Section 12(1) of the Freedom of Information Act 2000 states that a Public Authority is not obliged to: "...comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit." The Freedom of Information (Appropriate Limit and Fees) Regulations, defines the 'appropriate limit' for the Suffolk Constabulary as £450 and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17(5) of the Freedom of Information Act 2000, this letter serves as a refusal notice for this part of your request.

By requesting *all* information your request is too broad to be complied with within the £450 limit imposed on Freedom of Information requests.

Although excess cost removes the Force's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

Suffolk Constabulary is able to confirm the number of deaths in care homes, where there was a possibility of corporate homicide or manslaughter by a third party. We would suggest that the coroner's office will hold relevant information concerning other neglect type deaths.

Date	Key dates	Cause of death	Death avoidable?	Outcome
14/12/13	Incident 14/11/13 Victim died 2/12/13	Complications from fractures	Not established.	Insufficient evidence. Passed to HSE.
http://www.bbc.co.uk/news/uk-england-suffolk-41097932 https://www.suffolkfreepress.co.uk/news/operator-of-sudbury-care-home-ordered-to-pay-110-000-after-health-and-safety-breaches-1-8135373				
18/7/14	Incident-18/7/14 MIT inv-23/7/14	Cardiac arrest	Not established	NFA
26/7/15	26/7/15 Incident 18/8/15 Victim died	Thought to be suffocation. Investigation proved natural causes		NFA
28/10/17	28/10/17	Ongoing investigation		



A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;
<http://www.opsi.gov.uk/>

Suffolk Constabulary is not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.



Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask Suffolk Constabulary to review their decision.

Ask Suffolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by Suffolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify Suffolk Constabulary that you are requesting a review within 20 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700