

ANNEX - REASONS FOR NOT PROVIDING INFORMATION

An exemption applies

An exemption(s) under section(s), s.36(2) of FOISA applies to some of the information you have requested. You requested the cause of death for the 18 neonatal deaths recorded in Scotland in March 2022. Public Health Scotland provided the Scottish Government with additional supplementary information in confidence, to the Scottish Government, on contributory factors relating to these deaths. As this information was obtained by a Scottish public authority and disclosing it would constitute an actionable breach of confidence, we are not required to provide that detail to you on this occasion. It was provided in confidence due to its sensitive nature and small numbers. The briefing paper which noted this attached to this letter, with appropriate redactions.

This exemption is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption.