

Information Governance

The Green
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Russia Lane
London
E2 9NJ

Email elft.foi@nhs.net

Website: <https://www.elft.nhs.uk>

7th April 2022

Our reference: FOI DA4153

I am responding to your request for information received **28th March 2022**. This has been treated as a request under the Freedom of Information Act 2000.

When an organisation receives a request for information under the Freedom of Information Act, it is allowed under the Act to apply a blanket exemption to this where it has concluded that providing a response would take in excess of eighteen hours. When the cost of compliance and extracting information would exceed eighteen hours, a cost limit of £450 can be applied. This is explained in Section 12 of the Freedom of Information Act 2000 and is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to eighteen hours work.

Having reviewed your request, the Trust has noted that it would not be able to provide all the information requested within the eighteen hours specified in the Freedom of Information Act 2000.

In order to assist you with your request, I have advised below the timing each question would take in order to assist you to refine your request. If you wish to refine your request to comply with the eighteen hour time limit, please do get in touch.

I am now enclosing a response which is attached to the end of this letter. Please do not hesitate to contact me on the contact details above if you have any further queries.

Yours sincerely,



Lara Cousens
Information Governance Manager – Information Rights

If you are dissatisfied with the Trust's response to your FOIA request then you should contact us and we will arrange for an internal review of this decision.

Chair: Eileen Taylor (Interim)

Chief Executive: Paul Calaminus

We care

We respect

We are inclusive

If you remain dissatisfied with the decision following our response to your complaint, you may write to the Information Commissioner for a decision under Section 50 of the Freedom of Information Act 2000. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113
Web: www.ico.org.uk

Please note that the data supplied is not allowed to be re-used and/or published without the explicit consent of East London NHS Foundation Trust. Please contact the signatory to request permission if this is your intention

Chair: Eileen Taylor (Interim)

Chief Executive: Paul Calaminus

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Request:

Question 1: Please say (a) how many premises the Trust owns or uses in total, (b) how many it is the asbestos Duty Holder for, (c) how many have been surveyed for asbestos, (d) the total where asbestos has been found and not yet been removed, (e) how many have an asbestos management plan, (f) the number of plans written or reviewed since 01/01/2019, and (g) how many with asbestos have public access? I have included a template table below, although I understand that you are not required to use it.

Answer: Section 12(1) of the Freedom of Information Act 2000 states:

Section 12(1) does not oblige a public authority 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 Trust has reviewed your request for information and in order to collate this information, staff would have to gather information from several sources to pull together into one document in order to respond to this request. This would take approximately 20 hours to gather the information for all 3 questions.

Therefore, the Trust is unable to comply with this particular part of your request as the cost of compliance and extracting your exact requirements would exceed the appropriate cost limit of £450 which is specified in Section 12 of the Freedom of Information Act 2000. This is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to 18 hours work.

Question 2: Please list premises owned or used that still have asbestos (I have included a second template table below, although I understand that you are not required to use it):

- a) premises name (and address/location if this will help it to be identified);
- b) what the premises is mainly used for (if not obvious from its name) e.g. hospital, clinic, administrative building, residential premises for staff;
- c) when an asbestos survey was last carried out for that premises;
- d) when an asbestos management plan was last carried out or reviewed for that premises
- e) whether the premises is open to public access.

Answer: Section 12(1) of the Freedom of Information Act 2000 states:

Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit

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Question 3: In the case of premises owned or used by the Trust for which it is not the Duty Holder, please can you indicate the principal reason for that (e.g. premises owned by NHS Property Services).

Answer: Section 12(1) of the Freedom of Information Act 2000 states:

Section 12(1) does not oblige a public authority 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 Trust has reviewed your request for information and in order to collate this information, staff would have to gather information from several sources to pull together into one document in order to respond to this request. This would take approximately 20 hours to gather the information for all 3 questions.

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