

Information Governance

Robert Dolan House
9 Alie Street
London
E1 8DE

Email elft.foi@nhs.net

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

24 October 2023

Our reference: FOI DA4851

I am responding to your request for information received 26 July 2023. I am sincerely sorry for the delay in responding to your request. This has been treated as a request under the Freedom of Information Act 2000.

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,

Information Rights Coordinator

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.

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



We promise to work together creatively to: learn
'what matters' to everyone, achieve a better quality
of life and continuously improve our services.
We care . We respect . We are inclusive

Interim Chief Executive Officer: Lorraine Sunduza
Chair: Eileen Taylor

Request: Please could you provide me with the following information:

Question 1: Name and contact details of your:-

- a. **Responsible Person (Water)**
- b. **Authorised Person(s) (Water)**

Answer: The Trust has reviewed question 1 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 21(1) of the FOI Act states:

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

The information requested is accessible here:

<https://www.elft.nhs.uk/services/estates-facilities>

Question 2: Has the Trust appointed an Authorising Engineer (Water)?

Answer: Yes.

Question 3a: If so, please state:-

- i. **Name,**
- ii. **contact details and**
- iii. **a copy of their proposal / quotation / tender bid which led to their appointment.**

Answer:

- i. Karina Jones MIHEEM M.W.M.Soc MWES MIET
- ii. Authorising Engineer (Water)
ETA Projects
5C-D Bear Lane
London SE1 0UH

Email: info@EtaProjects.co.uk

iii. Section 43(2) of the Freedom of Information Act 2000 states:

(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

The Trust has reviewed question 3a iii of your request for information and is applying section 43 of the FOI Act. Section 43 exemption applies to commercial interests. As this is a qualified exemption, the public interest in withholding the information should outweigh the public interest in disclosure. The Trust has applied the public interest test and in this instance believes disclosure of this information may affect its ability to seek competitive tenders in the future and should therefore be withheld. In addition, the Trust legally cannot share a copy of the contract with a third party as this would have an adverse effect on the provision of supplies within the Trust and may result in an increase of prices.

Question 3b Contract expiry date.

Answer: 31 March 2024.

Question 3c: Value of annual spend with the AEW i.e. including routine and ad-hoc tasks.

Answer: Section 43(2) of the Freedom of Information Act 2000 states:



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(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

The Trust has reviewed question 3c of your request for information and is applying section 43 of the FOI Act. Section 43 exemption applies to commercial interests. As this is a qualified exemption, the public interest in withholding the information should outweigh the public interest in disclosure. The Trust has applied the public interest test and in this instance believes disclosure of this information may affect its ability to seek competitive tenders in the future and should therefore be withheld.

Question 3d: AEW's latest audit report.

Answer: Section 38(1) of the Freedom of Information Act 2000 states:

(1) Information is exempt information if its disclosure under this Act would, or would be likely to—

- (a) endanger the physical or mental health of any individual, or*
- (b) endanger the safety of any individual.*

The Trust has reviewed question 3d of your request for information and is applying section 38 of the FOI Act. Section 38 exemption applies to health and safety. As this is a qualified exemption, the public interest in withholding the information should outweigh the public interest in disclosure. The Trust has applied the public interest test and in this instance believes disclosure of this information may have a detrimental effect on the physical or mental health of any individual and should therefore be withheld.

Question 3e: Procurement contact details for contract tendering.

Answer: Email: elft.procurement@nhs.net

Question 3f: The name of any purchasing organisation or procurement portal which the Trust uses for this service.

Answer: In-house procurement team.
Atamis e-sourcing portal (direct award).

Question 3g: The latest Water Safety Group minutes and associated action tracker.

Answer: Please see attached Appendix 1 and Appendix 2.

Section 38(1) of the Freedom of Information Act 2000 states:

(1) Information is exempt information if its disclosure under this Act would, or would be likely to—

- (a) endanger the physical or mental health of any individual, or*
- (b) endanger the safety of any individual.*

The Trust has reviewed question 3g of your request for information and is applying section 38 of the FOI Act. Section 38 exemption applies to health and safety. As this is a qualified exemption, the public interest in withholding the information should outweigh the public interest in disclosure. The Trust has applied the public interest test and in this instance believes disclosure of this information may have a detrimental effect on the physical or mental health of any individual and should therefore be withheld. Some information has therefore been redacted.

