

**Information Governance**

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9 November 2023

**Our reference: FOI DA4944**

I am responding to your request for information received 11 September 2023 and clarified on 6 October 2023. I am sorry for the delay in responding to your request. 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. However, in this instance and in order to assist you, we have provided a partial response to your request as per below.

In order to assist you with your request, I have advised below the timing each question would take to help 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,

Information Rights Coordinator



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**Interim Chief Executive Officer:** Lorraine Sunduza  
**Chair:** Eileen Taylor

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](http://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**



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**Interim Chief Executive Officer:** Lorraine Sunduza  
**Chair:** Eileen Taylor

**Request:** I would like to request the following information under the Freedom of Information Act

**Question 1:** Copies of your trust's observations policy, including equality impact assessment/analysis (please state if no EIA has been completed).

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

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.

However, in an effort to be helpful, the Trust is providing the following response:

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/sites/default/files/2022-10/Observation%20Policy%207.0.doc>

**Question 2:** Copies of policies and documents pertaining to banned or restricted items (eg restrictions policies, banned items lists, room and possession search policies) Please include any equality impact assessments relating to banned items where available, please state if no EIA has been completed).

**Answer:** The Trust has reviewed question 2 of your request for information under the Freedom of Information Act (FOI) 2000.

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.

However, in an effort to be helpful, the Trust is providing the following response:

Please see Appendix 1 - Safe Environments and Search Policy

Please see Appendix 2 - Policy Equalities Impact Assessment

**Question 3:** Please also answer: Does your trust permit hot water bottles on the wards (this vary between wards)

**Answer:** The Trust has reviewed question 3 of your request for information under the Freedom of Information Act (FOI) 2000.

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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Hot waters bottles may be permitted on a case-by-case basis. However, these are seen as a restricted items on our Forensic wards.

**Question 4: Does your trust permit tampons on the wards (this may vary between wards).**

**Please describe ward bedroom and bathroom setup for the mental health wards under your trust. (For example “ward A has 20 beds, all are en-suite with one accessible bathroom; ward B has 10 beds, there are 2 single-sex shared bathrooms and 2 en-suite female rooms”).**

Answer: The Trust has reviewed question 4 of your request for information under the Freedom of Information Act (FOI) 2000.

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.

However, in an effort to be helpful, the Trust is providing the following response:

Yes, the Trust permits tampons on the wards.

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.

When the Trust identifies that the request is likely to take over 18 hours, we are not obliged to provide information for any part of the request. We are required to provide advice on how you may refine your request to information that can be collated within the 18 hour timeframe. You may then choose what information you would like to receive and confirm the same to us, upon which we will process your request.

The Trust has reviewed your request for information and in order to collate this information, staff would have to gather information across the Trust as it is not held centrally, this is estimated to take up to 22.5 hours.

**Question 5: Please describe the bathroom access for all seclusion suites and 136/health based places of safety. (eg “seclusion room 1 has en suite access, seclusion room 2 has toilet access but this is separate to the main room so in some circumstances patient may not have free access”).**

Answer: The Trust has reviewed question 5 of your request for information under the Freedom of Information Act (FOI) 2000.

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.

However, in an effort to be helpful, the Trust is providing the following response:

All Trust 136 / health-based places of safety are provided with toilets which patients have access to.



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**Question 6: Please provide copies of any ward posters or patient information about where to access menstrual products. Please state if your trust does not have any such posters or printed information.**

Answer: The Trust has reviewed question 6 of your request for information under the Freedom of Information Act (FOI) 2000.

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

*Any person making a request for information to a public authority is entitled—  
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
(b) if that is the case, to have that information communicated to them.*

East London NHS Foundation Trust does not have any posters or patient information on menstrual products as requested and is therefore unable to provide a response.

**Question 7: Please provide information relating to access to bins in ward bathrooms. This may be covered in waste policies, if so please provide the policy and any associated equality impact assessment or state if this has not been undertaken. Please also provide details (eg “ward A has sanitary bins in all bathrooms; ward B has no bins in en suite bathrooms but has a sanitary bin in 1 female shared bathroom; ward C has no bathroom bins; ward D has cardboard bins available”).**

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.

When the Trust identifies that the request is likely to take over 18 hours, we are not obliged to provide information for any part of the request. We are required to provide advice on how you may refine your request to information that can be collated within the 18 hour timeframe. You may then choose what information you would like to receive and confirm the same to us, upon which we will process your request.

The Trust has reviewed your request for information and in order to collate this information, staff would have to gather information across the Trust as it is not held centrally, this is estimated to take up to 22.5 hours.

**Question 8: You may have other documents related to this question such as ward environment policies or procurement documents. If so please provide these.**

Answer: Not applicable.

**Question 9: Please provide copies of any policies relating to supporting patients when menstruating (or policies which discuss this matter) for example guidance for staff on supporting patients who are menstruating.**

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.



When the Trust identifies that the request is likely to take over 18 hours, we are not obliged to provide information for any part of the request. We are required to provide advice on how you may refine your request to information that can be collated within the 18 hour timeframe. You may then choose what information you would like to receive and confirm the same to us, upon which we will process your request.

The Trust has reviewed your request for information and in order to collate this information, staff would have to seek this information from each ward as the information is not held centrally. This is estimated to take up to 22.5 hours.

**Question 10: Do you provide menstrual products for patients on your wards?**

Answer: The Trust has reviewed question 10 of your request for information under the Freedom of Information Act (FOI) 2000.

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.

However, in an effort to be helpful, the Trust is providing the following response:

Yes. The Trust does provide menstrual products on the wards.

**Question 11: If so please explain the processes or provide relevant documents discussing this. For example, do wards purchase these through petty cash or are they ordered through the NHS supply chain? If available, please provide ordering sheets for menstrual products over the past 1 year.**

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.

When the Trust identifies that the request is likely to take over 18 hours, we are not obliged to provide information for any part of the request. We are required to provide advice on how you may refine your request to information that can be collated within the 18 hour timeframe. You may then choose what information you would like to receive and confirm the same to us, upon which we will process your request.

The Trust has reviewed your request for information. Each ward manages its own ordering. In order to collate this information it would be necessary to contact each ward to establish their ordering process and then to review all relevant purchases. This is estimated to take up to 22.5 hours.

**Question 12: Please provide copies of any documents relating to patient engagement/discussion around menstruation – for example community minute notes where period products, bins or privacy when on periods are discussed.**

**Clarification: Any records since 2021 please.**

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



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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.

When the Trust identifies that the request is likely to take over 18 hours, we are not obliged to provide information for any part of the request. We are required to provide advice on how you may refine your request to information that can be collated within the 18 hour timeframe. You may then choose what information you would like to receive and confirm the same to us, upon which we will process your request.

The Trust has reviewed your request for information and in order to collate this information, staff would have to review meeting minutes across all wards. This is estimated to take up to 22.5 hours.

**Question 13: Please provide copies of weight restoration or weight management policies related to inpatient eating disorder services within your trust (if this service is provided). Your policies may have different names.**

**Answer:** The Trust has reviewed question 13 of your request for information under the Freedom of Information Act (FOI) 2000.

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

*Any person making a request for information to a public authority is entitled—*

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and*
- (b) if that is the case, to have that information communicated to them.*

East London NHS Foundation Trust is primarily a Mental Health and Community Health Trust and as such does not provide inpatient eating disorders services as described in this request. We are therefore unable to provide a response.



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