

**Information Governance**

Robert Dolan House  
9 Alie Street  
London  
E1 8DE

Email [elft.foi@nhs.net](mailto:elft.foi@nhs.net)

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

20 December 2023

**Our reference: FOI DA5064R**

I am responding to your request for an internal review received 20 December 2023. This is in response to your initial request of 15 November, which the Trust responded to on 19 December 2023.

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,



Keshia Harvey  
Senior Information Governance Manager - Compliance

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**



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:** Dear ELFT NHS, I am dissatisfied with the outcome of my complaint, if you feel it is unsafe to disclose this means you are probably just being irresponsible with your fire equipment and regulations. Please review this request for information.

**Answer:** The Trust has reviewed their previous response and upholds its decision not to disclose the information requested under Section 38(1) of the Freedom of Information Act 2000.

The Trust believes disclosure of the information requested may have a detrimental effect on the physical or mental health of individuals who are inpatients on Joshua Ward or who visit the ward and should therefore be withheld. As previously advised, fire safety arrangements are in place at all times.



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

**Original Request:** Dear Hackney and City Centre for Mental Health, there appears to be faulty

**fire alarm systems in the corridors of Joshua Ward. Please investigate your fire alarms and provide me with all testing results from the past year as a FOI request.**

**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 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.



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