

Information Governance

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6 December 2023

Our reference: FOI DA5091

I am responding to your request for information received 1 December 2023. Although we have asked for clarification, the Trust has concluded that we would not be able to respond to the request, for the reasons outlined below. 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: Under the Freedom of Information Act, I would like the following information:

Question 1: Please provide a list of all gender options you list on patient forms.

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

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

East London NHS Foundation Trust does not record the requested information centrally and therefore we would have to go to each service individually to determine what forms are used and if they make any reference to gender. It is estimated that this would take over 18 hours.

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.

The Trust follows NHSD guidance for collecting patient gender data, and further information is available on their website here:

<https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-sets/mental-health-services-data-set/submit-data/data-quality-of-protected-characteristics-and-other-vulnerable-groups/gender-identity?key=>



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