



East London
NHS Foundation Trust
Information Governance
Robert Dolan House
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London
E1 8DE

Email elft.foi@nhs.net
Website: <https://www.elft.nhs.uk>

21 August 2025

Our reference: FOI DA6187

I am responding to your request for information received 4 August 2025. 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



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Chief Executive Officer: Lorraine Sunduza
Chair: Eileen Taylor

Request:

Question 1: Do you have a policy (or policies) which outlines the responsibilities of health and care professionals and the Trust towards a patient who has an Advance Decision to Refuse Treatment (ADRT) or Lasting Power of Attorney (LPA) for Health and Welfare?

This document might include:

- how an ADRT/LPA should be used in decisions about a person's treatment,
- what to do if there are doubts about the validity and/or applicability of the document,
- how to involve Health and Welfare Attorneys when making treatment decisions
- how or when decisions will be referred to the Court of Protection

If yes, please share a copy with us in any available format.

Answer: Yes. Please see attached:
Appendix 1 - *Consent to Treatment Policy*
Appendix 2 - *Advance Decision to Refuse Treatment Policy*.
Appendix 3 – *Mental Capacity Act Policy*.

Question 2: In the event that a patient or family member, or someone using the Trust's services has a concern about the implementation of an Advance Decision to Refuse Treatment (ADRT) or a Lasting Power of Attorney (LPA) for Health and Welfare, does the Trust/Health Board have a documented process or course of action that would be provided to the person to allow them to resolve their concerns?

If yes, please share a copy with us.

If this information is covered within a policy you have included in the response above, please leave blank.

Answer: The Trust has reviewed question 2 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/contact-us/compliment-pals-and-complaints>

<https://www.elft.nhs.uk/contact-us/pals-here-help>

Question 3: Do you have a named individual who is responsible for overseeing the Trust's compliance with the Mental Capacity Act 2005?

Answer: Yes. Dominique Merlande, Associate Director of Mental Health Law.



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