

31st December 2025

Our reference: FOI DA6408

I am responding to your request for information received 29th December 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,

FOI Team

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:

I wish to make a Freedom of Information request relating to workplace practices in the maternity service provided by your Trust/board. Please can you answer the following questions:

Question 1: Are midwives in your Trust/board protected by Working Time Regulations 1998 (WTR)?

Answer: The Trust has reviewed question 1 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 maternity services. The Trust is therefore unable to provide a response.

Question 2: Is there any system in place to audit or ensure compliance with WTR within your maternity service?

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

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Question 3: Are midwives in your Trust/board asked to opt out of WTR protections as a condition of employment? If so, is it made clear to staff that the opt-out is voluntary? Is the opt-out time-limited, or indefinite? And under what criteria, 'emergency' or otherwise, does your maternity service justify this opt-out?

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

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Question 4: What are your staffing arrangements for covering on-call maternity services, either at home births and/or to cover short staffing within the maternity unit?

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

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Question 5: How often are midwives in your Trust/board called out to provide services overnight after working clinically during the day? In these instances, what is your system for compensatory rest and/or time off in lieu (TOIL)?

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

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Question 6: If a midwife identifies that s/he is unable to provide safe care due to exhaustion, do you have a standard operating procedure for providing relief?

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

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