

Freedom of Information Request

Reference Number: EPUT.FOI.23.3161
Date Received: 28th September 2023

Information Requested:

1. Please provide details of clinical service incidents caused by estates and infrastructure failure, affecting mental health services at your hospital trust. Please provide this information for all wards and buildings where mental health patients are treated, for the years 2020/21, 2021/22, 2022/23 and so far in 2023/24.

Clinical service incidents are defined as infrastructure failures that have interfered with clinical services in some way, or impacted patient care. These could be things like power outages, building defects, ligature points, water supply, pest control or sewage supply.

The Trust believes that this information is publicly available on The Estates Returns Information Collection (ERIC) and can be view via the following link <https://digital.nhs.uk/data-and-information/publications/statistical/estates-returns-information-collection> and therefore is applying a Section 21 exemption of the Act (Information accessible to applicant by other means):

The 2022/23 ERIC report is due for publication in December 2023. The annual collection of information will continue for 2023/24 and be published in due course. The Trust is therefore applying exemption Section 22 of the Freedom of Information act, this exemptions is for information that is intended to be published in the future.

2. For each incident, please could you provide a summary covering?
a. The date of the incident and the site of the incident.
b. The cause of the incident – e.g. Ceiling collapsing, power failure, pest control.
c. The impact on services, such as delays to planned patient care, harm to patients, or the need to close beds. Please include the number of patients affected and the length of the impact.

The data definitions are included within the ERIC report and the impact on services is also noted by the category incidents are reported under. Trust and Site data are also included within the published report and therefore is applying a Section 21 exemption of the Act (Information accessible to applicant by other means)

Section 21: Information accessible to applicant by other means.

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)—

- (a) Information may be reasonably accessible to the applicant even though it is accessible only on payment, and
- (b) Information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.
- (3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2) (b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

Section 22: Information intended for future publication.

- (1) Information is exempt information if—
- (a) The information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
- (b) The information was already held with a view to such publication at the time when the request for information was made, and
- (c) It is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).
- (2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1) (a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

Publication Scheme:

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organisation. EPUT's Publication Scheme is located on its Website at the following link <https://eput.nhs.uk>