

13 December 2017

Wellington House
133-155 Waterloo Road
London SE1 8UG

T: 020 3747 0000
E: nhsi.enquiries@nhs.net
W: improvement.nhs.uk

██████████
By email to
████████████████████

Dear ██████████

Request under the Freedom of Information Act 2000 (the “FOI Act”)

We refer to your email of 14 November 2017 at 10:45 hours in which you forwarded to NHS Improvement a request for information you had made initially to NHS England.

You have requested information in relation to the following questions:

1. How many of our NHS hospitals are under a PFI contract?
2. Are any [sic: of] our hospitals in profit account to date?
3. How long are [sic: is] a typical PFI contract or the last such contract made?

We are responding to you below, by reference to each of the above numbered items:

1. Your request is broadly worded. It is not clear to us what it means and, so, what specific information you are asking. We consider that section 1(3) of the FOI Act is engaged on this basis and, so, would be grateful if you could be more specific.

Accordingly, we must reject your request, but you may submit a new request in a clarified manner, if you so decide.

To assist you, however, NHSI hold accounts data on how many PFI schemes an individual NHS trust or NHS foundation trust has: a PFI scheme held by a trust may be ‘the hospital’ but it may relate to any other piece of infrastructure. The most recent accounts data available is for 2016/17. Data from these accounts is available as follows:

- NHS Improvement published NHS foundation trusts’ accounts data at <https://www.gov.uk/government/publications/nhs-foundation-trust-accounts-consolidation-ftc-files-201617>
- The Department of Health published NHS trusts’ accounts data at <https://www.gov.uk/government/publications/nhs-trusts-accounts-2016-to-2017>

If the accounts data identifies that an individual NHS trust or NHS foundation trust has a PFI scheme, you may refer to that trust's individual accounts for more details on the scheme. These should be available on the trust's website.

2. We do not understand what is meant by "in profit for date". Accordingly, we must reject your request, but you may submit a new and clarified request.

However, in order to assist you, if you wish to access income and expenditure information for trusts and foundation trusts, this is available for 2016/17 (and other years) through the links provided above (see under numbered point (1)).

3. We do not hold this information and, accordingly, we must reject your request.

However, in order to assist you, you might find that individual NHS trusts and foundation trusts have disclosed information on the length of their PFI contracts in their local accounts published on their websites.

We have also included an appendix to this letter setting out a summary of NHS Improvement's role; and, therefore, the types of information that we may hold that may relate to this part of your request.

Please note that we publish our responses to requests under the FOI Act on our website at the following webpage: [click here](#).

The deadline for a response from NHSI will be twenty days from the date of a re-submitted request. We will, of course, need to consider whether information requested can properly be provided in response to any such requests within the terms of the FOI Act. This means that NHSI's position in relation to the applicability of any statutory exemptions from disclosing any information in a re-submitted or clarified request is also reserved.

The Information Commissioner's Office provides guidance regarding FOI requests and the requirements needed to make an FOI request. In order to assist you, we have provided you with the link below:

http://www.ico.gov.uk/for_the_public/official_information/how_access.aspx.

Yours faithfully,

NHS Improvement

Appendix

NHS Improvement is responsible for overseeing foundation trusts and NHS trusts, as well as independent providers that provide NHS-funded care. We offer the support these providers need to give patients consistently safe, high quality, compassionate care within local health systems that are financially sustainable. By holding providers to account and, where necessary, intervening, we help the NHS to meet its short-term challenges and secure its future.

From 1 April 2016, NHS Improvement is the operational name for an organisation that brings together:

- Monitor
- NHS Trust Development Authority
- Patient Safety, including the National Reporting and Learning System
- Advancing Change Team
- Intensive Support Teams

We build on the best of what these organisations did, but with a change of emphasis. Our priority is to offer support to providers and local health systems to help them improve.

Please note that NHS foundation trusts, NHS trusts and other public organisations are subject to the FOI Act and as such it is open to you to seek information directly from them. They will need to consider whether information can properly be provided by them in response to any such requests within the terms of the FOI Act.