



## Improvement

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17 August 2018

By email

Dear [REDACTED]

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

I refer to your email of 20 July 2018 in which you requested information under the FOI Act from NHS Improvement.

#### Your request

Your request refers to an FOI request made to NHS Improvement in June 2017. The response was published on our website [here](#). Your request states that the response on our website is incorrect, for example, York Teaching Hospital NHS Foundation Trust was not included and that ‘Burton’ and other trusts have been included to account for initial failed applications but there is only one entry for Morecambe Bay which made several unsuccessful applications.

Your request is for:

- 1. Accurate disclosure of the following information requested in June 2017:*
  - which NHS Trusts applied for Foundation Trust status, with the date of application*
  - which NHS Trusts were granted Foundation Trust status and when did it become effective*
  - which NHS Trusts were rejected Foundation Trust status and the date of the rejection decision*
- 2. The information to be extended to include the names of all foundation trust authorisations which have taken place since the authorisation of Mersey Care in May 2016.*

#### Decision

NHS Improvement holds the information that you have requested and has decided to release all the information it holds. We have also responded to your points raised.

You have drawn our attention to York Teaching Hospitals NHS Foundation Trust not being included in the attachment to the original FOI request. Whilst this did feature on the

spreadsheet sent to the requestor, it appears that when the document had been produced as a PDF for publication on our website, all entries beneath the Morecambe Bay entry were not included. The full spreadsheet is enclosed as requested. This has been further updated with information relating to mergers and acquisitions of/by NHS Foundation Trusts. The list of foundation trusts can be viewed [here](#).

Additionally you draw attention to the fact that Morecambe Bay is featured on the list of trusts who applied to become a foundation trust once whereas Burton Hospitals is featured twice. Burton Hospitals submitted an application in July 2004 but withdrew its application in January 2005. It then submitted a new application in July 2008. As it withdrew and resubmitted its application, there are two entries on the list. Morecambe Bay applied to become a foundation trust in February 2009. It never withdrew from this process, nor was its application rejected. However, its application was deferred, which means that there were outstanding issues that we believed the trust could resolve within a reasonable period of time. This was part of the process for many trusts and was not particular to just Morecambe Bay. Deferred trusts are not required to restart the application process and so Morecambe Bay is only on the list once.

In relation to your request for a list of foundation trusts authorised since May 2016, we can confirm that no trusts have been authorised since Mersey Care NHS Foundation Trust and Wirral Community NHS Foundation Trust in May 2016.

### **Review rights**

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within NHS Improvement of the issue or the decision. A senior member of NHS Improvement's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, NHS Improvement, Wellington House, 133-155 Waterloo Road, London SE1 8UG or by email to [nhsi.foi@nhs.net](mailto:nhsi.foi@nhs.net).

### **Publication**

Please note that this letter and the attached information will shortly be published on our website. This is because information disclosed in accordance with the FOI Act is disclosed to the public at large. We will, of course, remove your personal information (e.g. your name and contact details) from the version of the letter published on our website to protect your personal information from general disclosure.

Yours sincerely

**NHS Improvement**