

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 31 October 2022

Public Authority: Essex Partnership University NHS Foundation Trust

Address: The Lodge
Lodge Approach
Runwell
Wickford
Essex
SS11 7XX

Decision (including any steps ordered)

1. The complainant made a request for information relating to which healthcare providers make up the East of England Adult Secure Provider Collaborative.
2. The Commissioner's decision is as follows:
 - On the balance of probabilities, Essex Partnership University NHS Foundation Trust ("the Trust") holds no further recorded information relevant to the complainant's request and has complied with section 1(1) of FOIA.
3. The Commissioner therefore does not require the Trust to take any corrective steps.

Request and response

4. On 16 March 2022, the complainant wrote to the Trust and requested information in the following terms:

"It is my understanding that the East of England Adult Secure Provider Collaborative (lead by Essex Partnership University NHS FT) is one of the provider collaboratives servicing adult low and medium-secure services, as listed here: NHS England » Live NHS-Led Provider Collaboratives across the country
Can you please provide me with a list of the providers (both NHS and private) that make up this partnership/collaborative?"

5. The Trust responded to the request on 21 March 2022 with the following information:

"The provider collaborative comprises of Essex Partnership NHS Trust, Norfolk and Suffolk NHS Trust, Cambridge and Peterborough NHS Trust, Hertfordshire Partnership NHS Trust, East London NHS Trust and Central and North West London NHS Trust."

6. The complainant wrote to the Trust on 24 March 2022, asking for an internal review in the following words:

"I would like assurance that the information provided is accurate, given that the Cygnet website claims they are part of the East of England Secure Provider Collaborative."

7. Following an internal review on 31 March 2022, the Trust wrote to the complainant stating that it commissions services from the independent sector and provided a list of suppliers, including Cygnet.

Reasons for decision

8. Under section 1(1) of FOIA anyone who requests information from a public authority is entitled under subsection (a) to be told if the authority holds the information and, under subsection (b), to have the information communicated to them if it is held and is not exempt information.
9. The East of England NHS Collaborative on its website describes its purpose, as providing:-

"member trusts and publicly-funded bodies with strategic purchasing support and specialist knowledge across the entire health economy."
10. The initial response specifically provided the names of the NHS Trusts that comprise the collaborative.
11. When the complainant questioned the accuracy of the information, and claimed Cygnet state on its website that it was a provider, the Trust

further re-iterated its initial response, along with stating that the collaborative commissions services from the independent sector.

12. The commissioner has reviewed Cygnet Health Care's website, particularly its page on provider collaboratives. The following is stated

"Cygnet Health Care are participating in 19 out of the 48 collaboratives that are launching, or have been launched, covering Adult Low and Medium Secure Services, Adult Eating Disorder Services and Child and Adolescent Mental Health Services (CAMHS)"

And

"Each provider collaborative has a partnership board that Cygnet sit on and a legally binding partnership agreement outlining how the partners will work together.

13. The Commissioner also notes that Cygnet Health Care's websites states that it **participates** in some of the collaboratives rather than stating that it is a **member** of the collaborative.
14. The Commissioner understands that the Trust could have provided a better explanation of what it means to be a member of the collaborative and what it means to provide services to that collaborative. However, he notes that the Trust has provided lists of both the collaborative members and the collaborative's suppliers.
15. Having considered all the circumstances, the Commissioner therefore accepts the Trust's position that it has provided all the information that it holds. As such, the Commissioner has decided that the Trust has complied with section 1(1) of FOIA.

Right of appeal

16. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals
PO Box 9300
LEICESTER
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

17. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
18. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed.....

Roger Cawthorne
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Wycliffe House
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Wilmslow
Cheshire
SK9 5AF