



Ref: FOIA Reference 2020/21-049b

Date: 15th June 2020

Email foi@uhnm.nhs.uk

Dear

I am writing in response to your email dated 4th June 2020 regarding our release of information under the Freedom of Information Act (2000) concerning Stafford General asbestos

You contacted us via email with the following:

"Many thanks for your response. Whilst I note that you have advised that the duty to record the presence of asbestos stems from the Control of Asbestos at Work Regulations 2002, duties were also implied under the Control of Asbestos at Work Regulations 1987 and the Asbestos Industry Regulations 1969. There was also a duty from 1983 to ensure that only licensed personnel undertook asbestos removal work and as such there would have been some assessment of the presence of asbestos within premises prior to the undertaking of maintenance works. I would be grateful to receive the information previously requested.

I look forward to hearing from you in due course".

On our original acknowledgment we added the following statement:

The University Hospitals of North Midlands Trust is committed to the Freedom of Information Act 2000.

However, the NHS is facing unprecedented challenges relating to the coronavirus (COVID-19) pandemic at the current time. Understandably, our resources have been diverted to support our front-line colleagues who are working tremendously hard to provide care for our patients, and to those in need of our services.

We strive to be transparent and to work with an open culture. But at this time, whilst care of our patients and the safety of our staff takes precedent, it is likely that responses to some requests for information will be delayed. We apologise for this position in advance, and will endeavour to provide you with as much information as we can, as soon as we are able.

The Information Commissioners Office has recognised the current situation in the NHS.

As of 1st November 2014 University Hospitals of North Midlands NHS Trust (UHNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

Q1 I would be extremely grateful to receive documents/details of the presence of asbestos insulation/containing materials at the old Stafford General Infirmary, specifically in the casualty department and the orthopaedic wards from approximately 1965 – 1996.

In particular I would be grateful to receive any information held by the trust regarding asbestos surveys undertaken at Stafford General Infirmary together with plans for the removal of asbestos dust and fibre and documents regarding the management of asbestos within the premises during the years 1965 – 1996.

A1 Our response 06/06/2020 stated
Information not held. Please note the Control of Asbestos at Work Regulations (CAW) 2002 and became law in 2004, which enforced duty to manage. The dates in the FOI precede this. This has been superseded by CAR 2012 (Control of Asbestos Regulations 2012)

Our amended response:

On further investigations, a few records have been found for the SGI, from the 70s to the 80s. All of the records held appertain to Engineering and Plant rooms and none for the areas that have been requested.

It is key to remember that the NHS was managed differently from today and the responsibility for holding records may have been with the Regional Health Board or Regional Health Authority. (Please see attached documents)

*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

UHNM NHS Trust is a public sector body and governed by EU law. FOI requestors should note that any new Trust requirements over the EU threshold will be subject to these regulations and will be advertised for open competition accordingly.

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An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

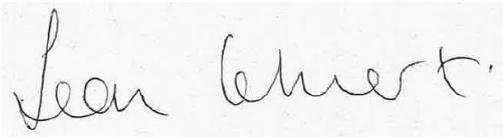
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via www.ico.org.uk.

If following review of the responses I can be of any further assistance please contact my secretary on 01782 671612.

Yours,

A handwritten signature in black ink on a light-colored background. The signature reads "Jean Lehnert" in a cursive script.

Jean Lehnert
Data, Security & Protection Manager