

**Information Governance**

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18 April 2024

**Our reference: FOI DA5223**

I am responding to your request for information received 19 February 2024. I am sorry for the delay in responding to your request. This has been treated as a request under the Freedom of Information Act 2000.

When an organisation receives a request for information under the Freedom of Information Act, it is allowed under the Act to apply a blanket exemption to this where it has concluded that providing a response would take in excess of eighteen hours.

When the cost of compliance and extracting information would exceed eighteen hours, a cost limit of £450 can be applied. This is explained in Section 12 of the Freedom of Information Act 2000 and is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to eighteen hours work.

Having reviewed your request, the Trust has noted that it would not be able to provide all the information requested within the eighteen hours specified in the Freedom of Information Act 2000. However, in this instance and in order to assist you, we have provided a partial response to your request as per below.

In order to assist you with your request, I have advised below the timing each question would take to help you to refine your request. If you wish to refine your request to comply with the eighteen hour time limit, please do get in touch.

I am now enclosing a response which is attached to the end of this letter. Please do not hesitate to contact me on the contact details above if you have any further queries.

Yours sincerely,



**Keshia Harvey**  
Senior Information Governance Manager - Compliance

If you are dissatisfied with the Trust's response to your FOIA request then you should contact us and we will arrange for an internal review of this decision.

If you remain dissatisfied with the decision following our response to your complaint, you may write to the Information Commissioner for a decision under Section 50 of the Freedom of Information Act 2000. The Information Commissioner can be contacted at:

Information Commissioner's Office



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**Interim Chief Executive Officer:** Lorraine Sunduza  
**Chair:** Eileen Taylor

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**Request:**

**Question 1: Do you monitor and log potential patient harms as a result of problems with your Electronic Patient Record (EPR) system?**

Answer: Yes, the Trust monitors and logs potential patient harms as a result of problems with the Electronic Patient Record (EPR) system.

**Question 2: Overall, how many letters to GPs, or documents, have not been sent out as a result of EPR problems?**

Answer: The Trust has reviewed question 2 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 1(1) of the Freedom of Information Act 2000 states:

*Any person making a request for information to a public authority is entitled—  
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
(b) if that is the case, to have that information communicated to them.*

East London NHS Foundation Trust does not routinely record the information requested and is therefore unable to provide a response.

However, it is noted that the most recent incident reported a backlog of 22,000 queued letters that were sent out in bulk to GPs.

**Question 3: Please give the date/s when you discovered these letters were not sent?**

Answer: The Trust has reviewed question 3 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 1(1) of the Freedom of Information Act 2000 states:

*Any person making a request for information to a public authority is entitled—  
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
(b) if that is the case, to have that information communicated to them.*

East London NHS Foundation Trust does not routinely record the information requested. The most recent incident was noted on 31 January 2024.

**Question 4: Overall, how many incidents of potential patient harm have been connected to your EPR system?**

Answer: The Trust has reviewed question 4 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 12(1) of the Freedom of Information Act 2000 states:

*Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit*

The Trust has reviewed your request for information and in order to collate this information, it would be necessary to review over 5000 incidents logged as "IG, IM&T, Systems, Hardware etc" to ascertain in they relate to patient harm connected to the EPR system and estimates that it would take over 18 hours to collate.



Therefore, the Trust is unable to comply with this particular part of your request as the cost of compliance and extracting your exact requirements would exceed the appropriate cost limit of £450 which is specified in Section 12 of the Freedom of Information Act 2000. This is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to 18 hours work.

**Question 5: Overall, how many incidents involving EPR at your trust have been declared as “serious harm” or a “serious incident”?**

Answer: One incident was logged as a “serious incident” involved the Trust’s EPR.

**Question 6: Overall, how many patient deaths have been connected to EPR?**

Answer: The Trust has reviewed question 6 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 40 for the FOI Act states:

*(2) This exemption covers the personal data of third parties (anyone other than the requester) where complying with the request would breach any of the principles in the UK GDPR.*

In order for the Trust to provide the information requested, it would be necessary to access patient records as the information is not held in a searchable format. We do not have a legal basis to access patient records for the purposes of responding to a freedom of information request. The Trust is therefore unable to provide a response.

**Question 7: How much have you spent on your EPR system overall?**

Answer: Please see table below:

Financial Year	EMIS	RIO	SystmOne	Grand Total
2012/13	109,860.00	-	-	109,860.00
2013/14	19,031.98	-	-	19,031.98
2014/15	824,275.53	367,876.80	-	1,192,152.33
2015/16	42,199.68	779,746.90	-	821,946.58
2016/17	6,837.60	665,947.84	-	672,785.44
2017/18	257,553.34	836,598.06	-	1,094,151.40
2018/19	71,484.48	834,652.20	-	906,136.68
2019/20	106,224.06	764,814.30	-	871,038.36
2020/21	209,117.94	1,011,987.64	111,143.35	1,332,248.93
2021/22	6,824.22	1,079,119.85	113,464.65	1,199,408.72
2022/23	575,461.07	912,271.20	118,559.72	1,606,291.99
2023/24	258,864.93	363,944.35	135,933.49	758,742.77
	<b>2,487,734.83</b>	<b>7,616,959.14</b>	<b>479,101.21</b>	<b>10,583,795.18</b>

**Question 8: How much do you anticipate spending on EPR in the next five years?**

Answer: The Trust has reviewed question 8 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 1(1) of the Freedom of Information Act 2000 states:

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*(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
(b) if that is the case, to have that information communicated to them.*

East London NHS Foundation Trust does not record anticipated spending as requested and is therefore unable to provide a response.

**Question 9: What is the anticipated cost of running the EPR system at your trust annually?**

Answer: The Trust has reviewed question 9 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 1(1) of the Freedom of Information Act 2000 states:

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(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
(b) if that is the case, to have that information communicated to them.*

East London NHS Foundation Trust does not record anticipated costs as requested and is therefore unable to provide a response.



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