

8 August 2016

Wellington House
133-155 Waterloo Road
London SE1 8UG

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

By email

Dear [REDACTED]

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

I refer to your email of **8 July 2016** in which you requested information under the FOI Act from Monitor. Since 1 April 2016, Monitor and the NHS Trust Development Authority are operating as an integrated organisation known as NHS Improvement. For the purposes of this decision, NHS Improvement means Monitor.

Your request

You made the following request:

“1) A list of all NHS foundation trusts that provide mental health services and the amount of income that each has received from private patients for the years ending March 2015 and March 2016.

2) A list of ALL NHS foundation trusts that have received an income from private patient activity within the last 12 months.

3) A list of ALL NHS foundation trusts that have exceeded the private patient income cap and the action taken.”

Decision

NHS Improvement holds the information that you have requested and has decided to release it.

Question 1

We hold the following list of NHS Foundation Trusts that provide mental health services.

- 2gether NHS Foundation Trust
- 5 Boroughs Partnership NHS Foundation Trust
- Berkshire Healthcare NHS Foundation Trust
- Birmingham and Solihull Mental Health NHS Foundation Trust
- Bradford District Care NHS Foundation Trust
- Calderstones Partnership NHS Foundation Trust
- Cambridgeshire and Peterborough NHS Foundation Trust
- Camden and Islington NHS Foundation Trust
- Central and North West London NHS Foundation Trust
- Cheshire and Wirral Partnership NHS Foundation Trust
- Cornwall Partnership NHS Foundation Trust
- Cumbria Partnership NHS Foundation Trust
- Derbyshire Healthcare NHS Foundation Trust
- Dorset Healthcare University NHS Foundation Trust
- East London NHS Foundation Trust
- Greater Manchester West Mental Health NHS Foundation Trust
- Hertfordshire Partnership University NHS Foundation Trust
- Humber NHS Foundation Trust
- Lancashire Care NHS Foundation Trust
- Leeds and York Partnership NHS Foundation Trust
- Lincolnshire Partnership NHS Foundation Trust
- Mersey Care NHS Foundation Trust
- Norfolk and Suffolk NHS Foundation Trust
- North East London NHS Foundation Trust
- North Essex Partnership University NHS Foundation Trust
- Northamptonshire Healthcare NHS Foundation Trust
- Northumberland, Tyne & Wear NHS Foundation Trust
- Nottinghamshire Healthcare NHS Foundation Trust
- Oxford Health NHS Foundation Trust
- Oxleas NHS Foundation Trust
- Pennine Care NHS Foundation Trust
- Rotherham Doncaster and South Humber NHS Foundation Trust
- Sheffield Health and Social Care NHS Foundation Trust
- Somerset Partnership NHS Foundation Trust
- South Essex Partnership University NHS Foundation Trust
- South London and Maudsley NHS Foundation Trust
- South Staffordshire and Shropshire Healthcare NHS Foundation Trust
- South West Yorkshire Partnership NHS Foundation Trust
- Southern Health NHS Foundation Trust
- Surrey and Borders Partnership NHS Foundation Trust
- Sussex Partnership NHS Foundation Trust
- Tavistock and Portman NHS Foundation Trust
- Tees, Esk and Wear Valleys NHS Foundation Trust
- The Black Country Partnership NHS Foundation Trust

The information that you have requested on the amount of income that each of the above foundation trusts has received from private patients for the years ending March 2015 and March 2016 is collected by NHS Improvement as part of foundation trust consolidation accounts data. The 2014/15 and 2015/16 data set is available on our website here: <https://www.gov.uk/government/collections/foundation-trust-consolidation-ftc-accounts-data>

Question 2

The web link noted above contains the information that we hold on NHS foundation trusts that have received an income from private patient activity within the last 12 months.

Question 3

Please note that the statutory limitation on private patient income in section 44 of the NHS Act 2006 was repealed with effect from 1 October 2012 by the Health and Social Care Act 2012. Before this time, no NHS foundation trusts exceeded the cap.

Section 43 of the NHS Act 2006 (as amended) now states that an NHS foundation trust does not fulfil its principal purpose unless, in each financial year, its total income from goods or services for the purposes of the health service (i.e. the NHS and public health) is more than income from the provision of goods or services for other purposes (including provision of health care to private patients).

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.

Publication

Please note that this letter 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,

A handwritten signature in black ink that reads "I. Ratcliffe". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Ian Ratcliffe
Head of Sector Financial Accounting