

19 April 2016

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**By email**

████████████████████

Wellington House  
133-155 Waterloo Road  
London SE1 8UG

T: 020 3747 0000  
E: [nhsi.enquiries@nhs.net](mailto:nhsi.enquiries@nhs.net)  
W: [improvement.nhs.uk](http://improvement.nhs.uk)

Dear ██████████

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

I refer to your email of 20 March 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, on the basis that your request was submitted to the Monitor FOI mailbox prior to the formation of NHS Improvement.

### **Your request**

You made the following request:

“Can you please confirm if the TDA collects data on Board diversity on NHS Foundation Trusts? If so, can you please provide the following data:

1. Board diversity data broken down by Trust.
2. How many people are on the board?
3. How many members of each board are female?
4. How many of the female members are Executive Directors versus Non-Executives?
5. How many members of each board are from an ethnic minority background?
6. How many of the ethnic minority members are Executives versus non-executives?”

### **Decision**

NHS Improvement holds some of the information that you have requested. NHS Improvement has decided to withhold this information on the basis of the applicability of section 21 of the FOI Act as the information is reasonably accessible by other means.

Foundation trusts must disclose a breakdown of the number of male and female directors, other senior managers and employees in the ‘staff report’ section of their annual report, which they must submit to us annually. We publish the annual reports of all foundation trusts online in the foundation trust directory found [here](#).

It may assist you to know that the requirements for foundation trust annual reports are outlined in the annual reporting manual, which we publish online [here](#). Section 7 outlines the requirements for the ‘staff report’.

Foundation trusts can include an equality report within their annual report, following [guidance](#) as set out by the Government Equalities Office. Any such report(s) would be contained in the relevant annual report(s) published on our website in the NHS foundation trust directory.

### **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 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, appearing to read 'W. Bessell'.

**William Bessell**  
Sector Reporting Manager