

# Freedom of Information Publication Scheme

Updated March 2010

# NHS FREEDOM OF INFORMATION PUBLICATION SCHEME FOR CARE TRUSTS

Welcome to the Sandwell Mental Health & Social Care NHS Foundation Trust Publication Scheme. The Publication Scheme is in three parts, as follows:

- **Part One:** Introduction
- **Part Two:** The Classes of Information that we hold
- **Part Three:** Inspection and Monitoring Bodies, Index to the Publication Scheme, and Useful Resources

## Part One: Introduction

### What a Publication Scheme is

This Publication Scheme is a complete guide to the information routinely published by Sandwell Mental Health & Social Care NHS Foundation Trust. It is a description of the information about our Trust that we make publicly available. We shall review the Scheme at regular intervals and monitor how it is operating.

It is important to us that this Scheme meets your needs and we have designed it to be a route map so that you can find information about Sandwell Mental Health & Social Care NHS Foundation Trust easily. Under Section 19 of the Freedom of Information Act 2000 (there is a link to the Act in Part Three below), the Sandwell Mental Health & Social Care NHS Foundation Trust has a legal duty to adopt and maintain a Publication Scheme for the publication of Sandwell Mental Health & Social Care NHS Foundation Trust information. The purpose of the Act is to promote greater openness by public authorities (of which Sandwell Mental Health & Social Care NHS Foundation Trust is one).

The Publication Scheme will help you to find all the information that the Trust publishes. The Freedom of Information Act does not change the right of patients to protection of their patient confidentiality in accordance with Article 8 of the Human Rights Convention, the Data Protection Act and common law.

Maintaining the legal right to patient confidentiality continues to be an important commitment on our part. To help with this, we have appointed someone who is called a Caldicott Guardian, who has responsibility to ensure the protection of patient confidentiality throughout the Trust in accordance with your legal rights.

In Sandwell Mental Health & Social Care NHS Foundation Trust, our Caldicott Guardian is:

Medical Director  
Edward Street Hospital  
Edward Street  
West Bromwich  
B70 8NL

### Information Management

Information falling into the Classes will be retained in line with the Sandwell Mental Health & Social Care NHS Foundation Trust's retention and disposal schedules, which comply with circular HSC1999/53 and Public Record Office Guidance.

Information not required for the business purposes of the Trust is stored at the Trust, at a place of deposit approved by the Lord Chancellor for the purpose of holding public records

### Feedback

Any questions, comments or complaints about this Scheme should be sent in writing to the Deputy Chief Executive/Director of Resources at Delta Point, Delta House, Greet's Green Road, West Bromwich, B70.

If you have a complaint about the operation of the Publication Scheme, or how the Sandwell Mental Health & Social Care NHS Foundation Trust has dealt with your request for information from the Scheme, please email : [PPI@smhft@nhs.uk](mailto:PPI@smhft@nhs.uk) or write to the:

PPI Manager  
Sandwell Mental Health & Social Care NHS Foundation Trust  
Delta Point  
Delta House  
Greet's Green Road  
West Bromwich  
B70 9PL

### Rights of Access to Information

At the present time, in addition to accessing the information identified in this Publication Scheme, you are entitled to request information about Sandwell Mental Health & Social Care NHS Foundation Trust under the NHS Openness Code 1995. Hard copies are available free of charge from the Department of Health. Sometimes, some or all of the information cannot be provided and we will explain the reasons why not when this happens.

The Freedom of Information Act recognises that as a member of the public, you have the right to know how public services such as the NHS are organised and run, how much they cost and how you can make complaints if you need to. You have the right to know which services are being provided, the targets that are being set, the standards of services that are expected and

the results achieved. The Trust is also obliged to respond to requests about the information which it holds and how it is held and it will create a right of access to that information. The rights to request and access this information are subject to some exemptions that the Trust has to take into consideration before deciding what information can be released.

Under the Data Protection Act 1998, you are also entitled to access your clinical records or any other personal information held about you and you can do this by contacting the:

Record Services Manager  
Sandwell Mental Health & Social Care NHS Foundation Trust  
Delta Point  
Delta House  
Greets Green Road  
West Bromwich  
B70 9PL

## **Part Two: The Classes of Information**

The information is grouped into broad categories as follows:

1. The NHS and How We Fit
2. Who We Are
3. Financial and Funding Information
4. Corporate Information
5. Aims, Targets and Achievements
6. The Trust and Our Services
7. Reports and Independent Enquiries
8. Policies and Procedures
9. Public Involvement and Consultation
10. Regular Publications and Information for the Public
11. Complaints
12. Human Resources
13. Communications with the Press and Media Releases
14. Environmental Information
15. This Publication Scheme

We will state how you can obtain the information outlined within each Class. This will be either via the web site or as a hard copy or other media as stated within each Class. The publications are all free unless otherwise indicated within each Class. Where information is provided at a cost, the charges will be calculated as set out in Class 15. The Trust's commitment to publish information excludes any information which can legitimately be withheld under the exemptions set out in the NHS Openness Code or the Freedom of Information Act. Where individual classes are subject to exemptions, the main reasons are e.g. the protection of commercial interests and personal information under the Data Protection Act 1998. This applies to all Classes within the Publication Scheme. The Publication Scheme will be available in

both hard copy and on our website.

## **1. The NHS and How We Fit**

In this section you will find information relating to:

- 1.1 The NHS as part of the Public Sector - A full list of Trusts can be found at [www.nhs.uk](http://www.nhs.uk)
- 1.2 Key National Documents i.e. NHS Plan, Priorities and Planning Guidance, National Service Frameworks, Improving Working Lives, Care Trust Enabling Legislation
- 1.3 How the Trust relates to the Department of Health, the Strategic Health Authority and other Trusts within the locality

## **2. Who we are**

Details of the Trust, organisational structures and key personnel to include:

- 2.1 Membership of the Trust Board and its Sub-Committees
- 2.2 Directorate Organisation Structures, Corporate Governance material - Establishment Order, Register of Interests, Codes of Conduct, Standing Orders, Standing Financial Instructions, Scheme of Delegation
- 2.4 Main partnerships - information explaining the structure of relationships with other stakeholders in the provision of services in the community. These will include key partners within the NHS, the Primary Care Trusts, Acute Hospitals, Local Authorities, including Social Services, police, prison services, voluntary and charitable bodies, private sector providers, etc.
- 2.5 Outline of management arrangements where joint service delivery has been agreed
- 2.6 Details of information sharing protocols

## **3. Financial and Funding Information**

Funding details, charging policies and financial accounts

- 3.1 Here you will find information about how the Trust obtains all its funding and the framework for deciding how it is allocated within the Trust
- 3.2 Current set of financial accounts
- 3.3 Purchase Card Policy
- 3.4 How the Trust purchases equipment and supplies
- 3.5 Procurement policy
- 3.6 Standard terms and conditions
- 3.7 OJEC adverts
- 3.8 Information relating to the tenders sought and awarded (items not included will be those where a commercial issue or issue of confidentiality is involved)

## **4. Corporate Information**

Reports, policies, minutes of meetings and business plans.

In this class of information you will find items which will be routinely published. This will include items such as:

- 4.1 NHS Plan
- 4.2 NHS Openness Code
- 4.3 Register of Interests
- 4.4 Emergency Planning Documentation
- 4.5 Information Sharing Protocols
- 4.6 Annual report
- 4.7 Aims and Objectives
- 4.8 Business/Strategic Plan
- 4.9 Agenda and Minutes of Board Meetings
- 4.10 Agenda and Minutes of Board Sub-Committee Meetings
- 4.11 Agenda and Minutes of Directorate Meetings

N.B. Some of the above information may be of a personal and confidential nature and will be excluded as will any other confidential material. Material relating to the health and safety of specific individuals, as to law enforcement or criminal or regulatory enforcement or audit issues under certain circumstances may also be excluded from publication. There may also be circumstances where material cannot be released because the appropriate officer of the Trust has taken the view that it may be prejudicial to the conduct of public affairs.

Information relating to Agenda/Minutes of Meetings will be updated within one month of the meeting taking place.

4.12 Details of inspections:

- Mental Health Act Commission
- Clinical Scheme for Negligence
- Risk Pooling Scheme for Trusts
- Care Quality Commission
- Monitor
- Royal College of Psychiatrists

## **5. Aims, Targets and Achievements**

In this class of information you will find details regarding financial targets, aims and objectives and key performance indicators (See also Class 9 below) This will include:

- 5.1 Whether the Trust is meeting its financial targets and how it is meeting any shortfall or deficit and what implications, if any, this has for patients across all services
- 5.2 How the Trust measures itself. Detail will include information relating to the systems established to manage and action plans resulting there from i.e. Controls Assurance Framework, Budgetary Management Framework, Clinical Governance, Clinical Audit, etc.
- 5.3 Performance Rating Targets

5.4 Ensuring Patient Safety - risk management process, procedures for adverse incident reporting (CIRA)

## **6. The Trust and Our Services**

The range of NHS services that we provide for the population of Sandwell and how we deliver these including:

6.1 The recent decisions which have been approved by the Trust Board about service changes or variations and the reasons for the decisions

6.2 Information relating to the clinical services that the Trust provides and/or commissions within its Directorates. Including information relating to the description of the community we serve and how the services match the needs of the community

6.3 The Trust's Service Strategy and the current plans that the Trust has for its services, including how the public can contribute to these - details in Class 9. A full directory of patient services is available from each Directorate

6.4 Details of all non-clinical services within the Trust and how they are provided

6.5 Details of the National Service Frameworks being worked on

## **7. Reports and Independent Enquiries**

In this class of information you will find details regarding Independent inspections of the Trust and their findings. See Part 3 for a list of bodies that monitor and inspect the Trust.

Please note that some of the inspection information is of a personal and confidential nature and will be excluded as will any other confidential material. Material relating to the health and safety of specific individuals, as to law enforcement or criminal or regulatory investigatory material or audit issues may be also excluded from publication.

## **8. Policies and Procedures**

In this class of information you will find listed all General policies and procedures and Strategies in use within the Trust. Please apply to [FOI@smhft.nhs.uk](mailto:FOI@smhft.nhs.uk).

## **9. Public Involvement and Consultation**

In this class of information you will find details of consultation procedures being undertaken by the Trust, decision-making processes, timescales and responses. Consultations in progress and how you can become involved.

Detail will include:

9.1 How the Trust consults and engages with the public in the debate and discussion about the development of priorities and services at the Trust, the mechanism for deciding priorities and how this is fed back to the public

- 9.2 The process within the Trust for deciding on current priorities and development areas and what these are and how the public can become engaged in the debate. Contact names and address where appropriate.
- 9.3 Formal consultation documentation required regarding closures/variations of services
- 9.4 Membership Development
- 9.5 Details of Patient Advice and Liaison Service (PALS)
- 9.6 Details of Patient Forum and Focus groups

For further information regarding work being undertaken within the Trust in the area of Patient and Public Involvement please contact:

PPI Manager  
Sandwell Mental Health & Social Care NHS Foundation Trust  
Delta Point  
Delta House  
Greets Green Road  
West Bromwich  
B70 9PL

## **10. Regular publications and information for the Public**

Guidance and Information leaflets

10.1 The Trust will provide in this section regular publications that it makes available to the public

## **11. Complaints**

Policies, procedures and contacts for complaints

- 11.1 How the Trust deals with complaints
- 11.2 Outcome of complaints
- 11.3 What the Trust has done to improve things
- 11.4 The NHS Complaints Procedure
- 11.5 The contact for formal complaints is:

PPI Manager  
Sandwell Mental Health & Social Care NHS Foundation Trust  
Delta Point  
Delta House  
Greets Green Road  
West Bromwich  
B70 9PL

## **12. Human Resources**

Employment policies and procedures are detailed in Class 8 above. You will find within this class:

- 12.1 Information relating to the Human Resource Strategy
- 12.2 Details of the Trust's workforce profile
- 12.3 Links to Workforce Development Confederation
- 12.4 Information relating to Continuing Professional development within the Trust
- 12.5 Joint Consultative and Negotiating Arrangements
- 12.6 Diversity and equality Information
- 12.7 Training and Development Information
- 12.8 Codes of Conduct

N.B. Some of this information is of a personal and confidential nature and will be excluded as will any other confidential material. Material relating to the health and safety of specific individuals, as to law enforcement or criminal or regulatory investigative material or audit issues may also be excluded from publication.

For further information relating to HR matters within the Trust please contact:

Director of Workforce & Learning  
Delta Point,  
Delta House  
Greets Green Road  
West Bromwich  
B70 9PL

### **13. Communications with the Press and Media Releases**

Our releases to the press and the media

- 13.1 Any news releases made to the press will be published within this section for 3 months following issue to the press

For further information regarding press releases please contact:

Head of Marketing  
Delta Point  
Delta House  
Greets Green Road  
West Bromwich B70 8NY

### **14. Environmental Information**

In this section you will find information relating to our estate and land holdings, and the uses they currently enjoy. Information required to be placed in the public domain as a result of the Environmental Information Regulations, any Environmental Enforcement action and associated information, to include:

- 14.1 The Trust's Estate Strategy
- 14.2 Details of Properties occupied by the Trust

### 14.3 Details of Properties used by but not owned by the Trust

For further information relating to the Trust's estate please contact:

Head of Facilities and Estates  
Delta Point  
Delta House  
West Bromwich B70 9PL

## 15. This Publication Scheme

In this class we will publish any changes we make to this Publication Scheme, the criteria on which our information management policies are made and a referral point for all enquires regarding information management generally in the Trust. We will also publish any proposed changes or additions to publications already available.

- 15.1 List of changes as they are made i.e. the addition of new Classes (having previously notified the Commissioner)
- 15.2 How information management is carried out within the Trust
- 15.3 Contact point for queries on information management
- 15.4 Any proposed changes or additions to available publications

## Cost of Information

For the most part, we will charge you only for hard copies or copying onto media (e.g. CD ROM). Some information is available free, but for others there may be a charge. The charges will vary according to how information is made available. Charges are as follows:

**a)** Via the Trust's Web Site – Free of Charge, although any charges for Internet Service provider and personal printing costs would have to be met by the individual. For those without Internet access, a single print-out as on the website would be available by personal application or post from:

FOI Manager  
Delta Point  
Delta House  
Greets Green Road  
West Bromwich  
B70 9PL

However, requests for multiple printouts, or for archived copies of documents which are no longer accessible or available on the web, may attract a charge for the retrieval, photocopy, postage etc. We will let you know the cost and charges that will have to be paid in advance. We will not provide printouts of other organisation's websites.

**b)** Leaflets and brochures about the services offered by the Trust will be provided free of charge.

c) “Glossy” or other bound paper copies, or in some cases a CD Rom, video or other mediums, may be made available at a cost.

d) e-mail-will be free of charge unless it says otherwise

The charges will be reviewed regularly.

## Copyright

The material available through this Publication Scheme is subject to the Trust’s copyright unless otherwise indicated. Unless expressly indicated on the material to the contrary, it may be reproduced free of charge in any format or medium, provided it is reproduced accurately and not used in a misleading manner. Where any of the copyright items in this Scheme are being re-published or copied to others, you must identify the source of the material and acknowledge the copyright status. Permission to reproduce material does not extend to any material accessed through the Publication Scheme that is the copyright of third parties. You must obtain authorisation to reproduce such material from the copyright holders concerned. For HMSO Guidance Notes on a range of copyright issues, see the [HMSO website](#) or contact:

HMSO Licensing Division  
St Clements House  
2-16 Colegate  
Norwich  
NR31BQ  
Tel: 01603 621000  
Fax: 01603 723000,  
Email: HMSO Licensing

## Part Three: Inspection and Monitoring Bodies, Index to the Publication Scheme, and Useful Resources

### The bodies involved in the monitoring and/or inspection of our services

- [Audit Commission](#)
- [British Psychological Society](#)
- Child Protection Teams
- [Care Quality Commission](#)
- Confidential Inquiry into Suicides and Homicides
- [Sandwell Metropolitan Borough Council](#)
- Coroners Office
- [Directorate of Counter-Fraud Services](#)
- [District Audit](#)
- Environmental Health offices
- [General Medical Council](#)

- [Health and Safety Executive](#)
- [Health Service Ombudsman](#)
- [Health Professions Council](#)
- [Home Office Mental Health Unit](#)
- [Monitor](#)
- [Medicines and Healthcare Products Regulatory Agency](#)
- [National Clinical Assessment Service](#)
- [National Patient Safety Agency](#)
- NHS Estates
- [NHS Litigation Authority](#)
- [Nursing and Midwifery Council](#)
- [West Midlands Strategic Health Authority](#)

**Index (NB This represents a suggested approach and will need to be tailored according to circumstances).**

**Any areas that do not have a specific link within this document, please apply by email for the document required to: [FOI@smhft.nhs.uk](mailto:FOI@smhft.nhs.uk) or in writing to:**

**FOI Manager  
Sandwell Mental Health & Social Care NHS Foundation Trust  
Trust HQ, Delta Point  
Delta House  
Greets Green Road  
West Bromwich  
Birmingham  
B70 9PL**

About the Sandwell Mental Health & Social Care NHS Foundation Trust

Access to information, rights of  
Aims, Targets and Achievements

Business Planning Caldicott Guardian Chairman

Chief Executive  
Classes of Information  
Classes of Information, description of  
Clinical Audit  
Clinical Governance, Director of Clinical Governance Strategy Codes of  
Conduct  
Care Quality Commission  
Communications Manager  
Communications and Media Releases  
Complaints Manager Complaints Procedure Confidential Inquiries Controls  
Assurance  
Corporate Governance, Director of  
Corporate Information Corporate Plan Corporate Reports

Corporate Services, Head of  
Counter Fraud, Head of

Data Protection Act 1998  
Department of Health  
Diversity and Equality Emergency Planning Establishment Orders Estates

Executive Directors

Feedback on Publication Scheme  
Finance, Director of Financial Information  
Freedom of Information Act 2000

General Medical Council  
Governance

Health & Safety Executive  
Human Resources  
Human Resources, Director of Workforce & Learning

Information Commissioner Information Manager Information Sharing Policy  
Internal Meetings

Joint Consultation and Negotiation Arrangements

Liaison with Local Authority Overview and Scrutiny Committees  
Local Strategic Partnerships

Marketing Strategy  
Medical Devices Agency (MDA) Medicines Control Agency Mental Health Act  
Commission Mental Health, Director of

National Service Frameworks (NSFs), Older People National Service  
Frameworks (NSFs), Mental Health National Service Frameworks (NSFs),  
Learning Disabilities) NHS Estates  
NHS Information Authority  
NHS Litigation Authority  
NHS Net (email, intranet, internet) NHS Openness Code  
NHS Plan  
NHS Purchasing and Supply Agency  
Non-Executive Directors

Official Journal of the European Community (OJEC) Operation of this  
Publication Scheme  
Our Services

Partnership working  
Patient Advice and Liaison Services (PALS) Patient Confidentiality  
Performance  
Policies and Strategies

Procurement  
Public Involvement and Consultation  
Publication Scheme

Register of Interests  
Reports and Independent Inquiries

Scheme of Delegation  
Services, clinical Services, non-clinical  
Standing Financial Instructions  
Standing Orders

Training and Development

Please note that a separate and comprehensive index of policies, procedures and strategies to be developed as part of this index

### Useful Resources

Websites:

- [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk) - This is the Information Commissioner's website
- [www.lcd.gov.uk](http://www.lcd.gov.uk) - This is the Lord Chancellor's web site
- [www.foi.nhs.uk](http://www.foi.nhs.uk) - This is the NHS Freedom of Information web site

### Publications

- NHS Openness Code – [www.doh.gov.uk/nhsexec/codemain.htm](http://www.doh.gov.uk/nhsexec/codemain.htm)
- FOI Act 2000 – [www.legislation.hmso.gov.uk/acts2000/2000036.htm](http://www.legislation.hmso.gov.uk/acts2000/2000036.htm)
- FOI Act 2000 Explanatory Notes – [www.legislation.hmso.gov.uk/acts/en/2000en36.htm](http://www.legislation.hmso.gov.uk/acts/en/2000en36.htm)
- Code of Practice under Section 45 FOI Act 2000 – [www.lcd.gov.uk](http://www.lcd.gov.uk)
- Code of Practice under Section 46 FOI Act 2000 – [www.lcd.gov.uk](http://www.lcd.gov.uk)

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