

**Ref:** FOI-092024-0001129

**Date:** 04 October 2024

**Address / Email:**

Dear

### **Appeal to Request Under Freedom of Information Act 2000**

Thank you for your email dated 25 September 2024 and your request to review our response to your request for information under the Freedom of Information Act 2000. For reference, please see the following details of your original request and our initial response sent to you on 24 September 2024.

### **Request**

I would like to request the amount of buildings used by the trust which still contain asbestos as of the most recent figures available in 2024. I would also like to know how this number compares with the equivalent figure at the same time in each of three previous calendar years (2023, 2022 and 2021).

Further, I would like for the amount of repairs that have been done to buildings used by the trust due to issues caused by asbestos in 2024, 2023, 2022 and 2021 and the total cost of those repairs in each year.

### **Response**

**Dudley Group NHS Foundation Trust operates a Private Finance Initiative (PFI) Contract. A PFI is a type of public private partnership (PPP) used to fund major capital investments. The hospital buildings are not owned by the Trust but by Summit Healthcare (Dudley) Ltd who the Trust has a PFI contract with. The contract allows the Trust to use the buildings to provide its clinical services. Summit Healthcare LTD are responsible for providing all of the estates and facility management services to ensure the buildings are always available for use.**

### **Appeal Review**

I have now carried out a review of the response and I can confirm that the Trust is to uphold its response.

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 him.”*

We do not own/maintain the buildings, these are operated through the private finance initiative contract with Summit Healthcare Ltd - therefore The Dudley Group NHS Foundation Trust do not hold the information you have requested.

Should you disagree with the contents of our response to your appeal, you have the right to appeal to the Information Commissioners Office at;

Information Commissioners Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113  
[www.ico.org.uk](http://www.ico.org.uk)

If you require further clarification, please do not hesitate to contact us.

Yours sincerely

**Information Governance Manager**  
**The Dudley Group NHS Foundation Trust**