

FOI REF: 23/459

30th August 2023

Tel: 0300 131 4500

Website: www.esht.nhs.uk

FREEDOM OF INFORMATION ACT

I am responding to your request for information under the Freedom of Information Act. The answers to your specific questions are as follows:

Please could you provide the following information in Excel format:

Over the last 12 months, what are the volumes (by finished items) of unlicensed aseptically prepared medicines you have:

Clarification was sought asking you to clarify what you mean by an “unlicensed product”? There are a number of potential interpretations. Confirmation was received that you require the following:

So we’re interested in both. Any medicine compounded under aseptic conditions to a concentration or formulation which is not currently available as a licensed preparation. This would include medicines manufactured under a MS licence or those manufactured under section 10.

By “unlicensed product” I am referring to medicines prepared in an aseptic unit under section 10 exemption under a specials license.

a) prepared in your own NHS run units

6014.

b) outsourced to commercial compounders across the UK

15158.

c) drawn up and administered at ward level

We do not collect data on ward level preparation.

Cont.../

If possible, please provide this broken down by:

- **product name**
- **and the month in which they were prepared / ordered**

East Sussex Healthcare NHS Trust does not centrally record the information broken down as requested. To enable the Trust to provide this information would require a manual review of over 21172 records which we estimate would take in excess of 18 hours. We are therefore applying Section 12(1) to this part of your request.

Section 12(1) of the Act allows a public authority to refuse to comply with a request for information if the authority estimates that the cost of compliance would exceed the 'appropriate limit', as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations). These state that this cost limit is £450 for public authorities which are not part of central government or the armed forces. The costs are calculated at £25 per hour per person regardless of the rate of pay, which means that the limit will be exceeded if the work involved would exceed 18 hours. The Trust estimates that the cost of complying with this request would significantly exceed the above limit.

If I can be of any further assistance, please do not hesitate to contact me.

Should you be dissatisfied with the Trust's response to your request, you have the right to request an internal review. Please write to the Freedom of Information Department (esh-tr.foi@nhs.net), quoting the above reference, within 40 working days. The Trust is not obliged to accept an internal review after this date.

Should you still be dissatisfied with your FOI request, you have the right of complaint to the Information Commissioner at the following address:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Telephone: 0303 123 1113

Yours sincerely

Linda Thornhill (Mrs)
Corporate Governance Manager
esh-tr.foi@nhs.net