

**Reference Number:** FOI/2020/149  
**From:** Other  
**Date:** 26 May 2020  
**Subject:** PPE stocks

Q1 Please could you send me all available information produced by Liverpool Heart and Chest NHS Foundation Trust on PPE stocks between 5 March and 5 May 2020, including:

- The stock levels of surgical gowns, pairs of surgical gloves, plastic aprons, fluid repellent surgical masks (e.g. IIR masks), FFP3 respirators, FFP3 respirators, eye protection (glasses) and eye protection (visors)
- Usage of those stocks during this period (e.g. daily or weekly depletion of surgical gowns)
- Any estimates at the time of how long those stocks were expected to last

If possible, could you please split this data out by healthcare setting (i.e. detail PPE stocks by all hospitals in your trust).

A1 Thank you for your recent Freedom of Information (FOI) request asking for available information on PPE stocks between 5 March and 5 May 2020, including stock levels, usage of those stocks and estimates as to how long those stocks were expected to last.

You have specifically asked for the following information;

- The stock levels of surgical gowns, pairs of surgical gloves, plastic aprons, fluid repellent surgical masks (e.g. IIR masks), FFP3 respirators, FFP3 respirators, eye protection (glasses) and eye protection (visors)
- Usage of those stocks during this period (e.g. daily or weekly depletion of surgical gowns)
- Any estimates at the time of how long those stocks were expected to last

In response to your query, please note that In response to the Covid-19 outbreak a collaborative approach was adopted across all NHS Trusts in Cheshire and Merseyside. The procurement teams from the Trusts re-focused their activity to respond to the Covid-19 outbreak and all Trusts implemented a policy of mutual aid to manage stock orders, receipt, allocation and distribution of PPE across the whole of the Cheshire and Merseyside. This approach meant that the most appropriate stock was allocated to the Trusts at the right time. Warehousing and distribution services were established to receive stock and distribute on a 24/7 basis to satisfy the needs of the Trusts.

As for the details requested by you, unfortunately, in this instance we are not in a position to provide this and we would be relying on the exemption under Section 38 (1)(a) – Health and Safety of the FOI Act. This is a qualified exemption and requires an endangerment/prejudice test to be undertaken.

Section 38 of the FOI Act provides an exemption from disclosing information if it would endanger any individual (including the requestor, the supplier of the information or anyone else). The exemption focusses on areas where disclosure of information would or would

be likely to endanger the physical or mental health of any individual or the safety of any individual and we are relying on the section dealing with the section about issues where disclosure might have an adverse effect on public health

The endangerment/prejudice test means that in order to engage this exemption, we, as a public authority must demonstrate that there is a causal link between the endangerment and the disclosure of the information. The public authority must also show that that disclosure would or would be likely to have a detrimental effect on the physical or mental health of any individual, or the safety of any individual. The effect must be more than trivial or insignificant. The term “would ... endanger” means that it is more likely than not to occur (i.e. more than 50% chance). ‘Would be likely to endanger’ is a lower threshold and it means that even if there is a below a 50% chance, there must be a real and significant likelihood of the endangerment occurring. The likelihood of the endangerment must be decided on the facts of the case.

Having applied the test and in the current circumstances regarding the pandemic, we are content that the requirements of the test have been met and the use of the exemption is appropriate in this instance.