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[REDACTED]

**RE: Freedom of Information Request**

**26<sup>th</sup> July 2024**

Dear Sir/Madam

With reference to your request for information received on 15<sup>th</sup> April 2024, I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 that we do hold the information you have requested. A response to each part of your request is provided below. Please accept our sincere apologies for the delay.

In your request you asked:

- 1. Does the Trust use recycled PP (plastic) and/or virgin plastic sharps containers – or any other materials?**  
Sherwood Forest Hospitals Reusable Bio sharps, and the containers aren't made from recycled plastic.
- 2. If recycled plastic, what percentage is the recycled content?**  
N/A
- 3. Do you have a Life Cycle Assessment (LCA) that supports any claimed reduction in CO2 emissions – and if so, can you provide a copy?**  
The evaluation for using reusable bio sharps is based against the use of single use sharps units. The reusable units are utilised 600 times before being destroyed and meet Carriage of Dangerous Goods requirements.
- 4. How many sharps containers are used across the Trust per year, by size and colour (just the most recent year you have complete figures for)?**

Reusable Sharps 2023			
Unit lid colour	Waste Type	Unit size	Total Units
Yellow		7.5L	6923

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Orange	HazSharpsIncin 180103/09	15.1L	151
		30.2L	3414
	NonMedSharpAlt 180103	7.5L	2042
		15.1L	733
		30.2L	1058

Reusable Sharps 2023			
Unit lid colour	Waste Type	Unit size	Total Units
Purple	Cytotoxic 180108	7.5L	145
		15.1L	6
		30.2L	650
Blue	NonHazMeds 180109	7.5L	685
		15.1L	9321
White	Infectious H/Care Metal	30.2L	30
		Total	25158

## 5. How much did the Trust spend on Sharps containers by size/colour in that year?

### Section 43 - Commercial interests

It is our opinion that the information sought in relation to costs is exempt from disclosure pursuant to section 43(2) of the Freedom of Information Act 2000 (FOIA). S43(2) relates to information that is exempt from disclosure that could have a detrimental effect on the commercial interests of "...any person." The Trust considers that at this time the commercial interests of the Trust, third parties and overall the NHS could be detrimentally impacted upon. Please see the public interest test below.

### Public Interest Test

We recognise that the disclosure of the information sought in relation to the costs involved would provide transparency in the use of public funds by the Trust and the NHS in general. It would also assist the general populous with transparency in decision making by the Trust and their transactions with third parties.

Conversely to the factors demonstrated above in favour of disclosure, it is felt that the Trust, third party suppliers and overall, the NHS could be disadvantaged should the information sought in relation to costs being made available. Suppliers compete with one another in a competitive environment and to provide the value of the costs involved may allow rival companies to undercut the Trust current suppliers, lead to loss of confidence by suppliers and customers and could cause significant harm and disadvantage to the Trust and suppliers.

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The disclosure could also adversely impact on any on-going or future procurement processes for the reasons outlined above. Any disclosure by the Trust could also in future discourage the provision of commercially sensitive information necessary to respond properly to the Trusts Invitation To Tender and would be likely to affect and undermine the Trusts bargaining position in any future procurement process or negotiations. Ultimately civil action could be taken against the Trust should information be disclosed that adversely affects the commercial interests of current and/or future suppliers.

As a result, it is in the Trust's opinion that this sufficiently demonstrates the prejudice which could be caused through disclosure.

### **Balance Test**

It is important to bear in mind that any disclosure under the FOI Act is a disclosure to the public at large and not just to the applicant. It is recognised that there is a general public interest in the Trust being open and transparent. However, it is not believed that this public interest is served in disclosure for damage that would be caused as outlined above.

Therefore, – the Trust considers that releasing this information would not be in the public interest, as the public interest does not outweigh the prejudice as set out above. Further guidance can be accessed from the Information Commissioner's Office <https://ico.org.uk/for-organisations/guidance-index/freedom-of-information-and-environmental-information-regulations/section-43-commercial-interests/>

6. **How are your sharps containers disposed of?** Reusable sharps bins are recycled, single use sharps bins are disposed of via the clinical waste stream.
7. **How many sharps bin trays (some suppliers call them POUDS trays or NPSD trays) are purchased by the Trust each year (most recent year you have figures for)?**  
0
8. **How are sharps bin trays disposed of per year? What are the main reasons for disposal and what is the method of disposal (incineration, recycled, another method...)?**  
N/A.
9. **On average, how many sharps bin trays are in use across the Trust, by size if applicable.**  
N/A.

The contract for this service falls under the Private Finance Initiative (PFI) contract held by Central Nottinghamshire Hospitals and their hard and soft services providers. The cost and details of these soft services are covered within the total unitary charge payment under the Private Finance Initiative for all services and as such cannot be separated as an individual cost as the contract is

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interdependent. Further details of the unitary charge payments are available here: <https://www.sfh-tr.nhs.uk/about-us/finances/what-we-spend-and-how-we-spend-it/>

I trust this information answers your request. Should you have any further enquiries or queries about this response please do not hesitate to contact me. However, if you are unhappy with the way in which your request has been handled, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: Sally Brook Shanahan, Director of Corporate Affairs, King's Mill Hospital, Mansfield Road, Sutton in Ashfield, Nottinghamshire, NG17 4JL or email [sally.brookshanahan@nhs.net](mailto:sally.brookshanahan@nhs.net).

If you are dissatisfied with the outcome of the internal review, you can apply to the Information Commissioner's Office, who will consider whether we have complied with our obligations under the Act and can require us to remedy any problems. Generally, the Information Commissioner's Office cannot decide unless you have exhausted the internal review procedure. You can find out more about how to do this, and about the Act in general, on the Information Commissioner's Office website at: <https://ico.org.uk/your-data-matters/official-information/>.

Complaints to the Information Commissioner's Office should be sent to FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone 0303 1231113, email [casework@ico.org.uk](mailto:casework@ico.org.uk).

If you would like this letter or information in an alternative format, for example large print or easy read, or if you need help with communicating with us, for example because you use British Sign Language, please let us know. You can call us on 01623 672232 or email [sfh-tr.foi.requests@nhs.net](mailto:sfh-tr.foi.requests@nhs.net).

Yours faithfully

### Information Governance Team

All information we have provided is subject to the provisions of the Re-use of Public Sector Information Regulations 2015. Accordingly, if the information has been made available for re-use under the [Open Government Licence](#) (OGL) a request to re-use is not required, but the licence conditions must be met. You must not re-use any previously unreleased information without having the consent from Sherwood Forest Hospitals NHS Foundation Trust. Should you wish to re-use previously unreleased information then you must make your request in writing. All requests for re-use will be responded to within 20 working days of receipt.

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