



Ref: FOIA Reference 2024/25-175

Date: 12th August 2024

Email foi@uhn.nhs.uk

tringer
jstringer@bma.org.uk

Dear Sir/ Madam

I am writing to acknowledge receipt of your email dated 11th June 2024 requesting information under the Freedom of Information Act (2000) regarding staffing

On 17th June 2024 we contacted you via email with the following:
continue with your request we require clarification on Q6-13, what is the time frame you are referring to?

On 2nd July 2024 you replied via email with the following:
'We requested the information for Q5-Q13 for the following period:

"Please provide a breakdown of the requested information below for the period from May 2019 to date."

As of 1st November 2014 University Hospitals of North Midlands NHS Trust (UHNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

Q1 Please confirm has your Trust adopted the Just Learning Culture in handling of concerns following receipt of Dido Harding's letter that was sent to all Chairs and Chief Executives of NHS Trusts and NHS Foundation Trusts dated 23 May 2019.

A1 Yes, this was formally ratified in our Trust Disciplinary policy in November 2019

Q2 Does your MHPS Procedure set out an informal process to deal with concerns pertaining to conduct/ capability of medical and dental staff, if so please provide details.

A2 Yes, the Trust MHPS policy does include an informal approach to concerns relating to conduct/capability.

Q3 Please provide details of what training and support is provided by your Trust to Case Investigators and Case Managers when dealing with MHPS cases.

A3 MHPS training led by the Trust's Legal Director is offered annually. Those acting as case managers and investigators must have attended the training before participation.

- Q4** Please can you confirm if your Trust has a Decision-Making Group and if so please can you confirm who sits on this group/how this is constituted and its remit?
Please provide a breakdown of the requested information below for the period from May 2019 to date:
- A4 The Trust does not currently have a Decision Making Group.
- Q5** The number of cases of medical and dental staff that were handled and resolved via a Just Culture approach and informal process.
- A5 Informal cases are not centrally recorded and therefore we don't have the data to answer this question.
- Q6** The number of cases of medical and dental staff that were subjected to a formal MHPS investigation.
- A6 27
- Q7** The number of medical and dental staff that have been formally excluded under MHPS and the duration of the exclusion.
- A7 6 (44 days, 50 days, 62 days, 64 days, 75 days, 699 days)
- Q8** Where medical and dental staff have been formally excluded under MHPS please provide a breakdown of whether this was on grounds of a) a need to protect the interests of patients or other staff pending the outcome of a full investigation, and/or b) the presence of the practitioner in the workplace was likely to impede the gathering of evidence during the investigation?
- A8 5 x risk to patients, 1 x presence of the practitioner in the workplace was likely to impede the gathering of evidence during the investigation
- Q9** How many medical and dental staff have been the subject of a formal process in relation to concerns over conduct and performance after they have made a protected disclosure (whistleblowing) following concerns over patient safety or other issues?
- A9 Nil
- Q10** Please provide the number of medical and dental staff that were placed on restricted duties and the duration of these restrictions.
- A10 4 (104 days, 301 days, 693 days, 743 days)
- Q11** Please provide a breakdown of how many of these formal MHPS investigations were:
- Resolved with no further action due to the concerns not being upheld
 - Resolved via an agreement to proceed through a disciplinary fast track process which avoided the need to proceed to a formal hearing
 - Proceeded to a formal hearing – conduct or capability (provide breakdown)

**d.
Other outcome - provide details**

A11 See below:
 A – 5,
 B – 6,
 C – 7 (all conduct),
 D – 9 (1 x informal outcome, 2 x employee resigned, 1 x capability plan, 5 x on-going)

Q12 Of the cases that proceeded to a formal hearing please confirm how many of these resulted in:

- a. **No disciplinary sanction - because the allegation/concerns were not upheld**
- b. **No disciplinary sanction - but ended with a recommendation for additional training/remediation/support**
- c. **A disciplinary sanction – please confirm the level of this sanction (e.g. written warning/final written warning/dismissal)**
- d. **Number of medical staff who appealed the disciplinary sanction and the outcome**
- e. **Other outcome - provide details**

A12 See below:
 A – Zero,
 B – Zero,
 C – 7 (2 x Written Warning, 2 x Final Written Warning, 3 x dismissal),
 D – 1 (appeal not upheld)

Q13 Please provide length of time from start to finish of each MHPS case.

A13 See below: Data provided in calendar days. Not provided for cases not yet concluded.

Calendar days range	Number of cases
50-100	5
101-150	3
151-200	5
201-250	0
251-300	6
301-350	1
350+	2

*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

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An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via www.ico.org.uk.

Yours,



Rachel Montinaro
Data Security and Protection Manager - Records