



Ref: FOIA Reference 2021/22-244

Date: 12th August 2021

Email foi@uhn.nhs.uk

Dear

I am writing in response to your email dated 29th July 2021 requesting information under the Freedom of Information Act (2000) regarding disciplinary cases under MHPS and the clarification that we requested 23rd February.

On 23rd February 2021 we contacted you via email as we required the following clarification:
Please provide the following information about the disciplinary cases under MHPS in your organisation for the financial years 2015/2020”

Are you asking for the totals for that entire time period or the total per financial year?

On 29th July 2021 you replied via email with the following:
'I now respond to your request, I apologise for the delay, I had missed your email.

I wish for data from 2015- 2020 but please amalgamate it if it is easier into one set of figures - that is all health/ conduct/ capability concerns including outcomes, totalling all 5 years (save workforce numbers)'

Note; we advised you under the FOI Act (section 45) we are required to keep open requests that have been paused for two months, this we advised you of when we contacted you for the clarification. Two months had passed so your request was closed. (532-2021)

Therefore this is a new request and your reference number is 244-2122

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 The Request:

Please provide the following information about the disciplinary cases under MHPS in your organisation for the financial years 2015/2020:

- 1. The number of permanent and locum doctors employed by the Trust (Headcount);**
 - Percentage of medical workforce that is female;
 - Percentage of medical workforce that is BAME;

A1 See below: note, Data is as at 31st March of each year.

Data is headcount of fixed term, permanent and locum Medical and Dental Staff group, excluding Bank and Agency, which includes doctors ranging from FY1 to Consultant

31st March	Headcount of Medical and Dental Staff	% that were female	% that were BAME
2015	1108	35.74%	52.17%
2016	1112	36.87%	52.07%
2017	1133	36.28%	49.96%
2018	1146	36.04%	53.05%
2019	1137	36.41%	55.58%
2020	1229	36.62%	58.26%
2021	1322	36.46%	60.74%

Q2 The number of concerns raised under MHPS by type of concern. Please allocate the cases to the most relevant type of concern

Type of concern	Number of concerns	Number of formal investigations	Number of exclusions	Percentage of doctors in this group of BAME origin	Percentage of doctors in this group of female gender
Doctor's health					
Conduct					
Capability					

A2 See below: note, Data is only held for formal investigations. Data is only held from 2016

Type of concern	Number of concerns	Number of formal investigations	Number of exclusions	Percentage of doctors in this group of BAME origin	Percentage of doctors in this group of female gender
Doctor's health	Data not held	<5	<5	0%	100%
Conduct	Data not held	23	<5	74%	4%
Capability	Data not held	<5	0	33%	33%

Q3 For every excluded doctor please detail the length of exclusion

A3 See below; note, Data is only held from 2016
In calendar days:

343
93
75

Q4 The outcome of formal investigations. Please provide the data on the outcome of formal investigations according to the following table. (As several of the outcomes may to one individual the numbers will not equate those in Q2)

No further action	Advice or Warning	Referral to the GMC	Dismissal	Resignation	Retirement	Other and Unknown

A4 We are unable to provide the information you require in the requested format as to release this data could lead to the identification of the person(s) involved due to the low numbers involved, and would breach the Trusts obligations under Data Protection Act 2018. Accordingly, this aspect of your request is exempt from disclosure under the terms of Section 40(2) of the FOI Act. *Personal information*. However as the Trust is committed to openness and transparency we can band the numbers as being <5

This exemption is an absolute exemption and therefore no consideration of the public interest test is needed. See below; note, Data is only held from 2016

No further action	Advice or Warning	Referral to the GMC	Dismissal	Resignation	Retirement	Other and Unknown
8	10	<5	<5	<5	0	6

Q5 For these outcomes, please provide the following breakdown

	Percentage of doctors in this group of BAME origin	Percentage of doctors in this group of female gender
No further action		
Advice or warning		
Referral to the GMC		
Exclusion		
Dismissal		
Other and Unknown		

A5 See below; note, Data is only held from 2016, Please note that other and unknown also includes cases not yet concluded.

	Percentage of doctors in this group of BAME origin	Percentage of doctors in this group of female gender
No further action	75%	12.5%
Advice or warning	70%	0%
Referral to the GMC	33%	33%
Exclusion	25%	25%

Dismissal	50%	50%
Other and Unknown	57%	14%

Q6 For the following please provide the following costs

	Salary Costs whilst excluded	Legal Costs to Trust	Estimated staffing costs to Trust (medical staffing/ investigators etc)
No further action			
Advice or warning			
Referral to the GMC			
Exclusion			
Dismissal			
Retirement			
Resignation			
Other and Unknown			

A6 See below; note, Data is only held from 2016

	Salary Costs whilst excluded	Legal Costs to Trust	Estimated staffing costs to Trust (medical staffing/ investigators etc)
No further action	£0		Data not held
Advice or warning	£28,948.26	£12,082.78 ex VAT	Data not held
Referral to the GMC	£36,797.21		Data not held
Exclusion	£54,722.82		Data not held
Dismissal	£7,848.95		Data not held
Retirement	£0		Data not held
Resignation	£0	£19,066.65 ex VAT	Data not held
Other and Unknown	£17,925.62		Data not held

Q7 Please identify the number of negotiated settlement agreements secured by the Trust with investigated/ disciplined doctors.

A7 We are unable to provide the information you require in the requested format as to release this data could lead to the identification of the person(s) involved due to the low numbers involved, and would breach the Trusts obligations under Data Protection Act 2018. Accordingly, this aspect of your request is exempt from disclosure under the terms of Section 40(2) of the FOI Act. *Personal information*. However as the Trust is committed to openness and transparency we can band the numbers as being <5

This exemption is an absolute exemption and therefore no consideration of the public interest test is needed.

<5 Settlement Agreements negotiated, no ex-gratia payments made.

*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.

If following review of the responses I can be of any further assistance please contact my secretary on 01782 671612.

Yours,



University Hospitals
of North Midlands
NHS Trust

Jean Lehnert
Data, Security & Protection Manager

