

Request under Freedom of Information Act 2000

Thank you for your request for information which we received on 30 October 2019.

I am pleased to confirm the following.

1. How many clinical incidents were recorded in the Local Risk Management Reporting System (LRMS) during the Period?

We record all incidents on Datix, our LRMS. The following figures show the number of incidents reported from the LRMS to the National Reporting and Learning System (NRLS).

2016/17	5189
2017/18	5129
2018/19	5935

2. How many of these were recorded as being incidents of a life-threatening or otherwise serious nature?

The below figures show the number of incidents recorded with a grading higher than 'moderate':

2016/17	29
2017/18	10
2018/19	13

3. During the Period, how many cases have occurred (whether also recorded in the LRMS) whereby an employee or other worker (all of whom for the purpose of this FOI request I shall call Workers) has raised a concern whether about patient safety, clinical or non-clinical malpractice or any other matter? Note: for the purpose of clarity, I refer here to cases which would usually be considered to be "whistleblowing" cases (this may be the case regardless of whether the concern was raised internally, with a line manager or other person within the Trust, or externally, with another organisation such as another NHS body or a regulator such as the CQC). I will refer to these cases in the questions below as Whistleblowing Cases and to the Workers who raise the concern as Whistleblowing Workers. I have tried to explain in some detail in order to be as clear as possible about my enquiry and to assist you in responding accurately.

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4. Of the Whistleblowing Workers who raised concerns during the Period, how many are

still working for the Trust and how many are no longer working for the Trust?

0

5. Of the Whistleblowing Cases which arose during the Period:

Not applicable as zero above.

5.1 how many were resolved satisfactorily (by which I mean any clinical, malpractice or other issues were addressed and any dispute with the Whistleblowing Worker was amicably resolved)?

5.2 in how many cases were Employment Tribunal (ET) proceedings or other legal proceedings started?

5.3 how many were resolved by ACAS intervention before the ET or other hearing?

5.4 how many were the subject of other attempts at mediation or other form of alternative dispute resolution (eg clinical early evaluation), whether by internal NHS Staff who mediated or by an external mediation provider such as CEDR (the Centre for Effective Dispute Resolution)?

I refer to these below as ADR Cases;

5.5 how many went to a full ET hearing?

6. In relation to the ADR Cases:

Not applicable as zero above.

6.1 how many were the subject of a mediation at any stage?

6.2 how many were the subject of another form of alternative dispute resolution (eg arbitration) at any stage?

6.3 how many were resolved by means of the mediation or other form of alternative dispute resolution?

6.4 does the Trust use internal NHS mediators and are they formally qualified as mediators? If so, how many ADR Cases did they settle during the Period?

6.5 does the Trust engage external mediation providers such as CEDR (see above)? If so, how many ADR Cases did they settle during the Period?

7. Does the Trust have a main board director with explicit responsibility for monitoring and reviewing Whistleblowing Cases and if so:

7.1 what is his/her name?

The Director of Workforce, Danielle Petch is the Executive lead and the Senior Independent Director, Andrew Blakeman, is the Non-Executive lead.

7.2 is he/she an executive or non-executive director?

Answered above.

7.3 how many Whistleblowing Cases were referred to the director during the Period?

Zero reported.

7.4 does the director issue a report (eg annually) as to his/her findings? If so, please provide a copy of any such report issued during the Period;

Reporting is through regular Freedom to Speak Up reports and reports to Board meetings on any individual cases as appropriate – our Board papers are published on www.mkuh.nhs.uk

7.5 is any report issued by the director made public or shared with any third parties and if so, who?

Question answered under 7.4.

8. Does the Trust have a whistleblowing policy? How many concerns were raised under the policy in each of the last 3 full financial years?

The Trust has a Speaking Up policy which includes whistleblowing.

9. Please provide the name and full contact details for the Local Freedom to Speak Up Guardian (the Local Guardian) for the Trust. Is the Local Guardian a main board director of the Trust?

Exempt under section 40 – Personal Information

10. How much did the Trust spend during the Period on legal and other professional fees for advice in connection with Whistleblowing Cases;

N/A

11. How much did the Trust spend during the Period in making compromise or settlement payments to Whistleblowing Workers to settle their cases?

N/A

12. Did the Trust enter into any Confidentiality Clauses or Non-Disclosure Agreements with Whistleblowing Workers during the Period and if so how many?

N/A

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If you need any further assistance, please do not hesitate to contact us at the address above.

Yours sincerely,

Freedom of Information Co-ordinator
For and on behalf of Milton Keynes Hospital NHS Foundation Trust

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