

Freedom of Information Request

Ref: UHB 19-674

19 November 2019

By Email

Dear Sir/Madam

Thank you for your request for information under the Freedom of Information Act 2000. The Trust's response is as follows:

1. Total number of Clinical incidents reported in time frame (1st April 2016 – 31st March 2019).
56,880.
2. Total number of life-threatening or otherwise serious nature.
609.

Please note that to identify "life threatening or otherwise serious nature" the Trust looked at the final consequence score of the incident and added anything that had a final risk consequence score of Major or Catastrophic.

3. During the Period, how many cases have occurred (whether or not 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.

2016/17 – 9 cases raised with the FTSU Guardian. Freedom to Speak Up Guardian appointed for UH Bristol on 1 October 2016.

2017/18 – 12 cases raised with the FTSU Guardian.

2018/19 – 32 cases raised with the FTSU Guardian

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?
This data is not collected and would breach the confidentiality of the individuals to determine if any had left.
5. Of the Whistleblowing Cases which arose during the Period:
 - 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)?
This data is not collected. For cases handled under the Raising Concerns Policy, everyone who raises a concern is asked if they would speak up again. Positive responses have been received from all individuals contacted following closure of their case.
 - 5.2. in how many cases were Employment Tribunal (ET) proceedings or other legal proceedings started?
None.
 - 5.3 how many were resolved by ACAS intervention before the ET or other hearing?
None.
 - 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;
The Trust is Unable to report on number of ADR cases as data was not collected for this time period.
 - 5.5 how many went to a full ET hearing?
None.
6. In relation to the ADR Cases: N/A.
 - 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? - Matt Joint, Director of People and the Senior Independent Director.
 - 7.2 is he/she an executive or non-executive director? – Executive Director.
 - 7.3 How many Whistleblowing Cases were referred to the director during the Period?

– None.

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; - No.

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

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? - Yes – as above response of question 3.
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?
Eric Sanders, Director of Corporate Governance and Freedom to Speak Up Guardian, raisingconcerns@uhbristol.nhs.uk or 0117 34 22888. The Guardian is not a main board director.
10. How much did the Trust spend during the Period on legal and other professional fees for advice in connection with Whistleblowing Cases; - £0.
11. How much did the Trust spend during the Period in making compromise or settlement payments to Whistleblowing Workers to settle their cases? - £0.
12. Did the Trust enter into any Confidentiality Clauses or Non-Disclosure Agreements with Whistleblowing Workers during the Period and if so how many? – None.

This concludes our response. We trust that you find this helpful, but please do not hesitate to contact us directly if we can be of any further assistance.

If, after that, you are dissatisfied with the handling of your request, 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:

Director of Corporate Governance
University Hospitals Bristol NHS Foundation Trust
Trust Headquarters
Marlborough Street
Bristol
BS1 3NU

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be

contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Publication

Please note that this letter and the information included/attached will be published on our website as part of the Trust's Freedom of Information Publication Log. This is because information disclosed in accordance with the Freedom of Information Act is disclosed to the public, not just to the individual making the request. We will remove any personal information (such as your name, email and so on) from any information we make public to protect your personal information.

To view the Freedom of Information Act in full please click [here](#).

Yours sincerely

FOI Team
UH Bristol NHS Foundation Trust