

Freedom of Information Request

Reference Number: EPUT.FOI.19.1289
Date Received: 24 October 2019

Information Requested:

Please reply to the follow question in relation to the last 3 full financial years for the Trust (I refer to this as being 'the period' in the text of the questions)

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

**** Please note that former North Essex Partnership University NHS Foundation Trust (NEP) and South Essex University Partnership University NHS Foundation Trust (SEPT) merged on 1 April 2017 to become Essex Partnership University NHS Foundation Trust (EPUT).**

2016/17 - 1724 (NEP)
- 7322 (SEPT)
- 9046 (Combined)
-
2017/18 - 15691 (EPUT)

2018/19 - 15452 (EPUT)

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

	16/17 (NEP)	16/17 (SEPT)	16/17 (Combined)	17/18 (EPUT)	18/19 (EPUT)
Severe	8	14	22	29	20
Death/ Catastrophic	14	23	37	92	77
Totals:	22	37	59	121	97

The above table details incidents that have been reported as a Patient Safety Incident which were given a degree of harm of Severe or Death/Catastrophic as defined by the NRLS.

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.

20

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?

9 still working for the Trust

7 not working for the Trust

1 anonymous

3 agency workers not directly employed by the trust

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)?

All resolved informally/internally

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

0

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

0

5.4 How many were the subject or 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 (Centre for Effective Dispute Resolution)? I refer to these below as **ADR Cases**

1

5.5 How many went to a full ET hearing?

0

6. In relation to the ADR Cases:

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

0

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

0

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

1 (internal)

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?

Yes formally trained.

1 case

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

Yes 'UK –mediation'.

None.

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?

Nigel Leonard, Executive Director of Strategy and Transformation, until 30 September 2019
Sean Leahy, Executive Director of People and Culture, from 1 October 2019

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

Both are Executive Directors

7.3 How many Whistleblowing cases were referred to the director during the period?

0

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?

No

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 the Trust has a Whistleblowing policy
2016/17 – 3
2017/18 – 5
2018/19 - 12

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?

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They are not a Director of the Trust

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?

0

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<https://eput.nhs.uk>