

## Freedom of Information Request

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**Reference Number:** EPUT.FOI.24.3338  
**Date Received:** 25<sup>th</sup> of January 2024

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### Information Requested:

Please could your trust provide the following information about your employment of locally-employed doctors? By locally employed doctors we mean doctors who are not consultants, not in formal training or on a SAS contract (speciality doctor, specialists and associate specialists). Local contracts mean contracts of employment that are not nationally negotiated.

1. Please provide the number of FTE doctors employed on local contracts at your trust of 15 January 2024.

We have a total of 10 locally employed doctors working at the Trust on the 15 January 2024

2. Please provide the percentage of locally employed doctors who are international medical graduates.

70%

3. Please provide the percentage of locally employed doctors who are from an ethnic minority group.

90%

4. Please provide a sample contract used by your trust for locally employed doctors.

Please see attached

5. Please provide the job titles under which these LE doctors are employed.

LAS Trust Grade CT1-3 Level, LAS Trust Grade ST4-6 Level and Trust Grade Doctor (1 doctor TUPE transfer)

6. What proportion of LE doctors have been employed with your organisation for more than two years?

Please note that the trust's policy is not to provide patient or staff numbers, where the response is less than or equal to five ( $\leq 5$ ) as it would potentially allow identification of the individual patient/staff and would therefore be personal data.

The trust considers that release of that information would breach GDPR/DPA18 principles on the grounds that it would not be fair in all the circumstances. This information is therefore exempt under section 40 of the FOI Act 2000.

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### Section 40 (Personal information):

- (1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.
- (2) Any information to which a request for information relates is also exempt information if—
  - (a) it constitutes personal data which do not fall within subsection (1), and

- (b) either the first or the second condition below is satisfied.
- (3) The first condition is—
  - (a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 2018, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—
    - (i) any of the data protection principles, or
    - (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and
  - (b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 2018 (which relate to manual data held by public authorities) were disregarded.
- (4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1)(c) of that Act (data subject’s right of access to personal data).
- (5) The duty to confirm or deny—
  - (a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and
  - (b) does not arise in relation to other information if or to the extent that either—
    - (i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 2018 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or
    - (ii) by virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1)(a) of that Act (data subject’s right to be informed whether personal data being processed).
- (6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 2018 shall be disregarded.
- (7) In this section— “the data protection principles” means the principles set out in Part I of Schedule 1 to the Data Protection Act 2018, as read subject to Part II of that Schedule and section 27(1) of that Act;
  - “data subject” has the same meaning as in section 1(1) of that Act;
  - “personal data” has the same meaning as in section 1(1) of that Act.

### Publication Scheme:

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organisation. EPUT’s Publication Scheme is located on its Website at the following link <https://eput.nhs.uk>



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