

FOI 2379

13th May 2024**FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST**

Staff Misconduct

For each year from January 2019 to date, please provide the following information.

Question 1:

How many staff misconduct incidents were recorded by Southern Trust?

Response:

Year	No. of Staff Misconduct Incidents Recorded
2019	112
2020	47
2021	64
2022	85
2023	103
2024	54 to end April

Question 2:

How many times was the disciplinary procedure invoked in response to reported incidents?

Response:

The disciplinary procedure was invoked in all of the above cases.

Note - The data in Q1 relates only to disciplinary issues that required a formal investigation under the Trust's disciplinary procedures and are centrally recorded. Line managers deal with informal disciplinary matters locally, there is no central recording mechanism for those.

Question 3:

How many times was action taken in response?

Response:

Please see response to Question 1.

Question 4a:
What actions were taken?

Response:

Action taken following a formal disciplinary investigation include the following;
No case to answer following investigation, counselling, informal warning, formal warning, final warning, dismissal.

Question 4b:

Please provide a breakdown by grade and by service area, e.g. ancillary staff, health support worker, nursing, clinical, physio, occupational health, clerical/administration, governance etc.

Response:

The information management system (Selenity) does not record this information in a way that allows for reporting by grade and service area. To do so would require significant time and resource to cross check each of the individual staff records.

Under section 12 of the Freedom of Information Act 2000, Public Authorities are not obliged to comply with an information request where to do so would exceed the cost limit.

Unfortunately we are unable to provide the information you have requested as the cost of locating and retrieving the information exceeds the “appropriate limit” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. It has been estimated that it would take more than 18 hours to locate and retrieve the requested information. In order to obtain this information and it would exceed the £450 limit and is therefore cost prohibitive.

Capability

For each year from January 2019 to date, please provide the following information.

Question 1:

How many staff capability incidents were recorded by Southern Trust?

Response:

Year	No. of Staff Capability Incidents Recorded
2019	<5 *
2020	6
2021	29
2022	16
2023	42
2024	<5 to end April *

*The Trust has a legal duty to protect patient confidentiality and, in line with this duty, the figure <5 has been provided where figures are very low. This is because of the

potential risk of identification of an individual. In reaching this decision the Trust has taken into account the small geographical area which the Trust serves and the sensitivity of the information requested. In addition the Trust has taken into account the fact that all information disclosed in response to an FOI is disclosed to the 'world at large' and is published on the Trust website.

S 40 (2) (third party information) of the Freedom of Information Act 2000 has been applied to exempt the redacted information from disclosure. The Trust does not consider the disclosure of the redacted information to be fair to the individuals concerned as there is the potential risk of identification of an individual(s) which they would not expect, and which would therefore breach the fairness element of the first principle of the Data Protection Act 2018.

Question 2:

How many times was the capability procedure invoked in response to reported incidents?

Response:

The capability procedure was invoked in all of the above cases.

Question 3:

How many times was action taken in response?

Response:

Please see response to Question 1.

Question 4a:

What actions were taken?

Response:

Extension of probationary period, Improvement plan, no further action, redeployment, downgrading, termination of contract

Question 4b:

Please provide a breakdown by grade and by service area, eg ancillary staff, health support worker, nursing, clinical, physio, occupational health, clerical/administration, governance etc.

Response:

The information management system (Selenity) does not record this information in a way that allows for reporting by grade and service area. To do so would require significant time and resource to cross check each of the individual staff records.

Under section 12 of the Freedom of Information Act 2000, Public Authorities are not obliged to comply with an information request where to do so would exceed the cost limit.

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