



Ref: FOIA Reference 2022/23-661

Royal Stoke University Hospital
Data, Security and Protection
Newcastle Road
Stoke-on-Trent
Staffordshire
ST4 6QG

Date: 24th April 2023

Email foi@uhn.nhs.uk

Dear

I am writing to acknowledge receipt of your email dated 18th, 20th January and 13th February 2023 requesting information under the Freedom of Information Act (2000) regarding workforce

Under section 12 of the FOI Act we were aggregating these requests on DBS checks

Your new reference number for both is 606-2223- withdrawn- new reference 661-2223

The section 12 exemption states:

The authority can combine related requests received within a period of 60 consecutive days from:

- The same person or
- People who appear to be acting in concert or in pursuance of a campaign.

On 13th February 2023 you contacted us via email with the following:

'On 18 January 2023 I sent a Freedom of Information request regarding DBS checks and the workforce. On 20 January 2023 I sent another email asking you to kindly withdraw the request and submit a new request.

I apologise for the confusion but I am now writing to you to ask you to withdraw that request and to submit a new request. After receiving some responses from hospital Trust's I realise that the way I have phrased my questions was incorrect. I really appreciate your help on this.

Please find my new request for information under the Freedom of Information Act 2000 below:'

As of 1st November 2014 University Hospitals of North Midlands NHS Trust (UHNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

Request #1 – **Withdrawn**

Q1 What is the current size of your workforce? Please include both staff and volunteers in this figure.

A1 170 volunteers

Q2 Currently, how many members of staff and volunteers have not been DBS checked within the past three years?

If you are unable to provide a current figure, please share the most up to date data.

A2 None

Request #2– **Withdrawn**

Q1 What is the current size of your workforce? Please include both staff and volunteers in this figure.

A1 Repeat of request #1

Q2 Currently, how many members of staff and volunteers have not been DBS checked within the past three years?

A2 Repeat of request #1

Q3 Currently, how many members of staff and volunteers have never been DBS checked?

A3 None- volunteers

Q4 What is the current size of your 'patient facing' workforce? I define 'patient facing' as staff or volunteers with direct hands-on or close contact with patients.

A4 170 all our volunteers are classed as 'patient facing'. None of them have hands on contact as not permitted.

Q5 Currently, how many members of your 'patient facing' staff and volunteers have not been DBS checked within the past three years?

A5 None- volunteers

Q6 Currently, how many members of 'patient facing' staff and volunteers have never been DBS checked?

A6 None- volunteers

Q7 In the past ten years how many members of your workforce have committed sexual misconduct?

Of those, how many were referred to the DBS?

If you are unable to provide a current figure, please share the most up to date data.

A7 None- volunteers

Request #3

Q1 How many members of your workforce (both staff and volunteers) require a DBS check?

A1 Approximately 9661 this is based on position in the Trust which requires updating as the DBS requirements have changed over the years.

Q2 How many members of your workforce (both staff and volunteers) who require a DBS check have not been DBS checked for 3 years?

A2 We are not able to provide a response to this question due to starters and leavers we also do not operate a periodic checking process we undertake a DBS check on first hire if the post requires one and if following internal recruitment if there is a requirement for the new role or level of check changes.

Q3 How many members of your workforce (both staff and volunteers) who require a DBS check have never been DBS checked.

A3 We do not hold this data in one single place and we have a number of staff that were employed predating DBS service e.g. CRB and Police checks.

Q4 In the past ten years how many members of your workforce have been found guilty of sexual misconduct at a misconduct hearing?

A4 Information is only held from 2016. Since this date, seven (7) employees have received a disciplinary sanction for sexual misconduct. This means that the allegations were upheld.

Q5 Of those, how many were referred to the DBS?

A5 We are unable to provide the information you require in the requested format as to release this data could lead to the identification of the person(s) involved due to the low numbers involved, and would breach the Trusts obligations under Data Protection Act 2018. Accordingly, this aspect of your request is exempt from disclosure under the terms of Section 40(2) of the FOI Act. *Personal information.*

Q6 In instances where a member of your workforce was found guilty of sexual misconduct at a misconduct hearing but not referred by the Trust to the DBS, please share a summary of the allegation they were found guilty of.

A6 Information not held: If they received a disciplinary sanction, then it means the allegations were upheld either in full or in part. We don't say "found guilty" as workplace disciplinary cases are not covered by the same laws as criminal justice.

*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

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An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via www.ico.org.uk.

If following review of the responses I can be of any further assistance please contact my secretary on 01782 671612.

Yours,



Rachel Montinaro
Data Security and Protection Manager - Records