

Ref. No: 458070122  
From: Public  
Date: 07/01/22  
Subject: Staff Dismissal

## REQUEST

1. Please state the total number of dismissals made by the Trust in the last 3 years?

(a) Of these dismissals, please state how many of the individuals dismissed, were deemed to have a disability by virtue of section 6 of the Equality Act 2010?

2. Please state the number of individuals who were dismissed due to having had their national training number removed, further, please state:

(a) please specify whether for misconduct, capability or another reason?

(b) please specify the year?

3. Please state all staff in the last three years who have been disciplined or dismissed. In each case please state:

(a) Whether disabled or not?

(b) Whether dismissal or disciplinary action.?

(c) Please specify the year?

\*Please break this information down by year and whether or not the individual was disabled. In each case, please could you state whether any misconduct was found and, if so, what type of disciplinary action was taken including verbal/written/final warnings, suspension, dismissal etc.-

4. Please could you state whether findings of discrimination on the basis of disability have been highlighted during any internal/staff complaint/third party investigations about the Trust. If so, please state the nature of the findings, the investigating body and the specialty involved.

Note \*under section 6 of the Equality Act 2010 disability is defined as;

(1)A person (P) has a disability if—

(a)P has a physical or mental impairment, and

(b)the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.

If this request is too wide or unclear, I would be grateful if you could contact me as I understand that under the Act, you are required to advise and assist

requesters. If any of this information is already in the public domain, please can you direct me to it, with page references and URLs if necessary.

If the release of any of this information is prohibited on the grounds of breach of confidence, I ask that you supply me with copies of the confidentiality agreement and remind you that information should not be treated as confidential if such an agreement has not been signed.

## RESPONSE

1. Please state the total number of dismissals made by the Trust in the last 3 years? **21**

(a) Of these dismissals, please state how many of the individuals dismissed, were deemed to have a disability by virtue of section 6 of the Equality Act 2010?

**No = 14 Not declared = 7**

2. Please state the number of individuals who were dismissed due to having had their national training number removed, further, please state:

(a) please specify whether for misconduct, capability or another reason? **0**

(b) please specify the year? **N/A**

3. Please state all staff in the last three years who have been disciplined or **dismissed**. In each case please state:

(a) Whether disabled or not?

(b) Whether dismissal or disciplinary action.?

(c) Please specify the year?

**The further breakdown to this level of detail would require a manual review of a large amount of information as the information is not already held in the format that you have requested, this information is therefore withheld under Section 12 of the FOIA.**

**Under section 12 of the Freedom of Information Act St Helens & Knowsley Teaching Hospitals Trust does not have to comply with a request if we estimate that the cost of complying with your request would exceed the appropriate limit of £450. The appropriate limit has been specified in regulations. This represents the estimated cost of one person spending 2½ working days in answering the remainder of your questions. Under section 12 of the Freedom of Information Act the Department is not obliged to comply with your request and we will not be processing your request further.**

Please refer to the table below for information about disability.

Row Labels	No	Not Declared	Grand Total
<b>2019</b>			
Dismissal - Conduct	<5	<5	<5
Dismissal - Some Other Substantial Reason	<5		<5
<b>2019 Total</b>	<b>&lt;5</b>	<b>&lt;5</b>	<b>6</b>
<b>2020</b>			
Dismissal - Conduct	<5		<5
Dismissal - Some Other Substantial Reason	<5	<5	6
Dismissal - Statutory Reason	<5		<5
<b>2020 Total</b>	<b>6</b>	<b>&lt;5</b>	<b>9</b>
<b>2021</b>			
Dismissal - Conduct	<5	<5	<5
Dismissal - Some Other Substantial Reason	<5		<5
Dismissal - Statutory Reason		<5	<5
<b>2021 Total</b>	<b>&lt;5</b>	<b>&lt;5</b>	<b>6</b>
<b>Grand Total</b>	<b>14</b>	<b>7</b>	<b>21</b>

Please note <5 : We are unable to provide precise figures when those figures refer to individuals in volumes of 5 or less due to the risk that individuals will be re-identified, as we are required to protect their identity under the General Data Protection Regulations & Data Protection Act 2018.

In such circumstances sections 40(2) and (3) of the Freedom of Information Act apply. In this case, our view is that disclosure would breach the first data protection principle. This states that personal data should be processed “lawfully, fairly and in a transparent manner”. It is the lawful aspect of this principle which, in our view, would be breached by disclosure. In such circumstances Section 40 confers an absolute exemption on disclosure.

4. Please could you state whether findings of discrimination on the basis of disability have been highlighted during any internal/staff complaint/third party investigations about the Trust. If so, please state the nature of the findings, the investigating body and the specialty involved.

**In relation to dismissal = N/A**