



Kent and Medway
NHS and Social Care Partnership Trust

Information Governance & Records Management Department

Farm Villa
Hermitage Lane
Maidstone
Kent
ME16 9PH

Sent via email

Tel: 01795 514525

Email: kmpt.infoaccess@nhs.net
Website: www.kmpt.nhs.uk

Dear [REDACTED]

I write further to your request FOI ID 44620 under the Freedom of Information Act 2000 regarding: -

[REDACTED]

Your request is set out below:

****QUESTION ONE****

Please give me the total trust spend for each of the following ET claims:

[REDACTED]

For each case, please break the spending down into the following categories:

- a. Solicitors' fees* (if applicable)
- b. Barristers' fees* (if applicable)
- c. External mediator fees (if applicable) d. External investigator fees** (if applicable) e. Salary paid to the claimant while suspended (if applicable) f. Salary paid to workers brought in to cover shifts of the suspended claimant (if applicable) g. Total paid to claimant as part of settlement agreement (if applicable) h. Any other relevant costs

For each case, please also provide the names of the solicitors' firm(s), barrister(s)/chamber(s), mediator/mediation firm(s), and investigator(s) that the costs were paid to.

We are not obliged, under section 40 (2) FOIA to provide information that is personal information of another person if releasing would contravene any of the provisions of the Data Protection Act 2018. In this instance we believe that the disclosure of this data would contravene the first Data Protection principle, therefore section 40 (2) is engaged. The terms of this exemption in the freedom of information act mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

****QUESTION TWO****

We are proud to be smoke free

Trust Chair – Dr Jackie Craissati
Chief Executive – Sheila Stenson

The cases listed in Question One are all taken from the Government Employment Tribunal (ET) website for cases where PIDA (Public Interest Disclosure Act) claims have advanced quite far, usually with several preliminary hearings held. Most cases do not get this far.

Please tell me how many other cases you have in which current or former employees lodged ET1 claim forms alleging a Public Interest Disclosure Act claim between 1 April 2017 and 31 March 2024 that are not included in the list in Question One.

Fewer than 5

Due to the low numbers involved in the response to your request I would like to confirm that we are unable to release the information, in full. We are not obliged, under section 40 (2) FOIA to provide information that is personal information of another person if releasing would contravene any of the provisions of the Data Protection Act 2018. In this instance we believe that the figures are significantly low enough that identification of those involved could be made, and would therefore contravene the first Data Protection principle, therefore section 40 (2) is engaged. The terms of this exemption in the freedom of information act mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

Please give the total trust spend on these additional claims, broken down into the following categories:

a. Solicitors' fees* (if applicable)
b. Barristers' fees* (if applicable)
c. External mediator fees (if applicable) d. External investigator fees** (if applicable) e. Salary paid to the claimants while suspended (if applicable) f. Salary paid to workers brought in to cover shifts of the suspended claimants (if applicable) g. Total paid to claimants as part of settlement agreement (if applicable) h. Any other relevant costs

Due to the low numbers involved in the response to your request I would like to confirm that we are unable to release the information, in full. We are not obliged, under section 40 (2) FOIA to provide information that is personal information of another person if releasing would contravene any of the provisions of the Data Protection Act 2018. In this instance we believe that the figures that are available to release allow identification of those involved could be made, and would therefore contravene the first Data Protection principle, therefore section 40 (2) is engaged. The terms of this exemption in the freedom of information act mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

****QUESTION THREE****

Please provide your trust spend in GBP on legal retainers or other similar contractual arrangements with any legal firm or barrister/chambers between 1 April 2017 and 31 March 2024.

The Trust do not pay a retainer for legal representation.

Please break this down by financial year and by name of the firm/barrister/chambers in receipt of funds.

N/A

I confirm that the information above completes your request under the Freedom of Information Act 2000. I am also pleased to confirm that no charge will be made for this request.

If you have any questions or concerns or are unhappy with the response provided or the service you have received you can write to the Head of Information Governance at the address on top of this letter. If you are

not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision.

Yours Sincerely

On Behalf of
The Information Governance Department