



Kent and Medway

NHS and Social Care Partnership Trust

Information Governance & Records Management Department

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Kent
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Sent via email

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Dear [REDACTED]

Request for Information

I write further to your request FOI ID 48592 under the Freedom of Information Act 2000 regarding: -

Probationary Dismissals & Reasonable Adjustments
Reasonable Adjustments & Access to Work Requests
Whistleblowing & Grievances
Data Protection & ICO Complaints
Workforce Equality & Compliance Audits
Staff Survey Data – Internal & National Surveys
Line Manager & HR Guidance Documents

Your request is set out below:

1. Probationary Dismissals & Reasonable Adjustments

1.1 Probationary Dismissals

For the period January 2022 – Present, please provide:

The total number of staff dismissed during probation, broken down by:

- Year (2022, 2023, 2024)
- Ethnicity
- Disability status (if recorded)
- Job band (Bands 2-9, Senior Leadership, Executive Levels)
- Directorate

The number of staff who had their probation extended before dismissal, broken down by:

- Average extension length before dismissal
- Ethnicity, disability status, and directorate

The primary reasons recorded for probation failure, categorised as:

- Performance-related issues
- Sickness absence
- Conduct/disciplinary issues
- Failure to meet role expectations

We are proud to be smoke free

Trust Chair – Dr Jackie Craissati
Chief Executive – Sheila Stenson

- Other (if recorded)

The number of dismissed staff who had formally requested reasonable adjustments before dismissal.

The number of appeals filed against probationary dismissals, including:

- The number upheld vs. overturned
- The number that resulted in reinstatement
- The number of roles that were modified or adjusted following a successful appeal overturning a dismissal or probation decision.

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.

Copies of any official criteria, policies, or internal guidance KMPT uses when deciding on probation extensions or dismissals.

Please see link provided for Q7 which contains all HR policies.

2. Reasonable Adjustments & Access to Work Requests

For the period January 2022 – Present, please provide:

The data provided below covers the period dated January 2024 to the present date, as this is when the service went live. To obtain data and collate for the period dated 2022 – 2024 would require a manual exercise to identify and review clinical records and would exceed the appropriate time limits, as per the Freedom of Information Act 2000 section 12(1) which does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

The total number of reasonable adjustment requests made by employees with disabilities, including:

- The number approved vs. denied
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

We can confirm that 64 requests were approved, with fewer than 5 declined or partially declined.

- Average time for approval and implementation
The average time for approval of any reasonable adjustment request is within 5 days of receipt however, implementation is dependent on receiving quotes from suppliers, licences from providers, completion of associated training and installation of software by the Digital Services Team.

- The top five most requested adjustments
Dragon software, chairs, text help read and write, ergonomic keyboard and mouse and lift riser desks.
- The number of adjustments recommended by Occupational Health (OH) but not implemented.
All physical recommendations made by OH and requested via this process have been implemented. Flexible working requests, phased returns etc are implemented locally.
- The number of employees referred to Access to Work (AtW) for workplace support.
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- The number of Access to Work recommendations that were fully implemented, partially implemented, or not implemented.
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

We can confirm all have been either fully or partially implemented – due to waiting for Digital Services approval.

3. Whistleblowing & Grievances

For the period January 2022 – Present, please provide:

The total number of whistleblowing disclosures made through KMPT's Freedom to Speak Up (FTSU) Guardian, broken down by:

- Number of disclosures per year
- The category of concerns raised (e.g., discrimination, patient safety, governance failures)
- The number upheld, dismissed, or unresolved
The Freedom to Speak Up service for the Trust is provided by The Guardian Service who can be contacted directly and may be able to supply this information - information@theguardianservice.co.uk

The number of grievances filed by staff, categorised by:

- Type (bullying, harassment, discrimination, workload, failure to make reasonable adjustments, etc.)
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- Outcome (upheld, dismissed, unresolved)
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.

The number of grievances related to race or disability discrimination, including:

- The number upheld vs. dismissed
- Average time taken for resolution
- The number of grievances that resulted in formal disciplinary action

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

We can confirm that there were fewer than 5 grievances raised relating to race or disability discrimination.

4. Data Protection & ICO Complaints

For the period January 2022 – Present, please provide:

The number of complaints made to the Information Commissioner's Office (ICO) against KMPT, categorized by:

- GDPR breaches
- Failure to respond to Subject Access Requests (SARs)
- Unauthorised sharing of personal data

The Trust record and report on breaches whereby we have notified the Information Commissioner of a failure to comply with the DPA, in order to obtain the number of complaints made to the Information Commissioners Office against KMPT the requestor would need to contact the ICO directly for this information.

The outcomes of ICO investigations, including:

- The number of complaints upheld vs. dismissed
The ICO do not define their conclusions of investigations as being "upheld" or "dismissed" they provide recommendations whereby actions or areas to review are provided to the organisation.
- Any enforcement notices, fines, or warnings issued
There have been no enforcement notices, fines or warnings issued to the Trust by the Information Commissioner.

The total number of Subject Access Requests (SARs) submitted by employees, and:

- The number completed within the legal timeframe (one month)
In total there have been 174 subject access requests submitted by employees between January 2022 and March 2025. Out of this number there are 3 requests currently being processed and are still within their one-month time frame.
- The number exceeding the deadline
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- The number where information was withheld or partially disclosed

Information may be withheld or partially disclosed if it relates to a third party or does not constitute the individual's personal data. In circumstances such as this, the information would be redacted if it is not appropriate, nor possible to remove it in its entirety.

In order to extract the requested information and collate the results would require a manual exercise to identify and individually review all staff requests and the records collated and would exceed the appropriate time limits, as per the Freedom of Information Act 2000 section 12(1) which does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

5. Workforce Equality & Compliance Audits

For the period January 2022 – Present, please provide:

The total number of KMPT employees, categorized by:

- Ethnicity
- Disability status
- Job band (Bands 2-9, Senior Leadership, Executive Levels)

The requested information is held centrally however cannot be extracted in full as a standalone piece of data as can only be extracted as a point in time report. In order to extract the information requested in full and collate the results would require a manual exercise to identify and review electronic staff records and would exceed the appropriate time limits, as per the Freedom of Information Act 2000 section 12(1) which does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

If you would like us to provide the 'point in time reports' please advise as to what dates you would like this for and we will provide this report for you.

The number of internal reviews or audits conducted on KMPT's compliance with:

- The Equality Act 2010
- NHS Workforce Race Equality Standard (WRES)
- NHS Workforce Disability Equality Standard (WDES)
- Reasonable Adjustments Policy compliance

Copies of any internal reports or audits assessing KMPT's performance on workplace discrimination, disability support, or diversity and inclusion.

Please find below a link to access the following documents –

- **KMPT Workforce Disability Equality Standard report 2023-2024**
[kmpt-workforce-disability-equality-standard-report-2023-2024.pdf](#)
- **KMPT Workforce Race Equality Standard Report 2024**
[kmpt-workforce-race-equality-standard-report-2024.pdf](#)

6. Staff Survey Data – Internal & National Surveys

For the period January 2022 – Present, please provide:

Copies of all internal staff surveys conducted by KMPT, including:

- Annual or periodic surveys assessing staff satisfaction, workplace culture, and employee well-being.
- Specific surveys on equality, diversity, and inclusion (EDI).
- Surveys assessing employees' confidence in raising grievances or whistleblowing concerns.
- Any surveys measuring the effectiveness of reasonable adjustments for disabled staff.

Copies of KMPT's submissions and results for national NHS staff surveys, including:

- Workforce Race Equality Standard (WRES) reports.
- Workforce Disability Equality Standard (WDES) reports.
- NHS Staff Survey responses related to:
- Discrimination complaints and bullying.
- Confidence in management handling of grievances.
- Staff experiences with probation and performance management.
- Psychological safety and Freedom to Speak Up Guardian effectiveness.

Please use the following link to access the RAG Report 2022-2024 and People Promise Reports 2022-2024.

<https://filesender.kmpt.org/?s=download&token=978a60fa-1062-4dd5-95fd-9df34f15cb16>

Any internal reports or reviews based on these survey results, including:

- KMPT's analysis of staff survey trends over time.
- Action plans or policy changes introduced in response to survey findings.

Please use the following link to access the Board Reports for 2022-2024 in relation to staff survey results –

[KMPT | Board meetings](#)

Staff survey results do not directly inform a policy change however, the data from the survey may contribute to policy changes when reviewed.

7. Line Manager & HR Guidance Documents

*For the period **January 2022 – Present**, please provide:*

Please provide copies of all training materials or guidance documents used for KMPT line managers and HR in relation to:

- Managing and supporting neurodivergent and disabled employees.
- Handling and responding to requests for reasonable adjustments and Access to Work reports.
- Conducting fair probation reviews, extensions, dismissals, and appeals.
- Recognising, investigating, and addressing workplace discrimination and bias.
- Allegations of conduct and behavioural issues, including distinguishing between disability-related behaviours and misconduct.
- And copies of ALL KMPT staff policies including any that have been reviewed and revised in the last six months.

Please use the following link which takes you to a copy of the trusts People policies and HR policies –

People Policies - [id-35516-1.pdf](#)

HR Policies -

<https://filesender.kmpt.org/?s=download&token=d72ca2bf-9075-4040-a76c-4efdbb15178a>

<https://filesender.kmpt.org/?s=download&token=75a25b67-6ae3-4593-995a-27bba054e2fb>

<https://filesender.kmpt.org/?s=download&token=36dfb68d-d9d9-4276-97db-76af73bf18af>

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