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Request for Information Reference: 02.24.61

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Email only

12th March 2024

Dear

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 19th February 2024 in relation to County Durham and Darlington NHS Foundation Trust (the Trust). Your request has been processed under the provisions of the Freedom of Information Act 2000 and I am now able to provide you with a response.

Your request was in relation to Excluded Patients and I am providing the following information in response to your specific questions:

The Trust has adopted a behavioural warning process whereby offenders are given opportunities to demonstrate improvements in their poor behaviour to mitigate the need for more serious action being taken. The adopted process can be summarised as follows:

- Stage One – Informal Warning in the form of verbal advice issued at local level by staff. This generally consists of a clinical member of staff advising a user, whether patient or relative, that their behaviour is not meeting the expected standards. This warning is documented within the patient record.
- Stage Two – Formal Warning will be issued for repeat offenders or where the incident is deemed more serious. These warnings may include a verbal warning but are accompanied by a formal letter advising the recipient of the expected standards of behaviour they should demonstrate whilst in receiving care.
- Yellow Card Warning – This warning is issued when an individual has continued to exhibit unacceptable behaviour and not taken steps to modify such behaviour or the incident is of a serious nature meriting this level of warning. The warning also informs the recipient that should their behaviour continue then the Trust will consider further action which may include exclusion.

- Red Card Exclusion – When all warnings have been exhausted and the individual has not demonstrated improvements in their behaviour or the seriousness of the incident is such a one year exclusion letter will be issued. This exclusion allows the individual to still access emergency lifesaving care but may limit their access to other forms of care.
- The recipient of all forms of warning has the ability to appeal the receipt of the warning via the Patient Experience Team who act as independent adjudicators.

1. How many patients were excluded from care at your Trust in the calendar years 2010,2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023

Records are not available for the period 2010 until 2017.

	2018	2019	2020	2021	2022	2023
Total Excluded Patients	1	3	4	1	3	4

2. How many of the above patients received a planned review of their status?

Prior to any patient being excluded a multi-disciplinary team (MDT) meeting will be held to discuss the treatment plan for the patient and how any action may impact them. Where appropriate they will be re-directed to alternative healthcare providers. All exclusions are reviewed by the Executive Director for Nursing and additionally reviewed / authorised by the Chief Executive.

3. How many excluded patients were subject of an Equality Impact Assessment?

Unfortunately the Trust is unable to determine whether EIA's were conducted for those recipients of red card exclusion letters prior to 2021. Since 2021 relevant MDT's have been conducted whereby the impact of exclusion will be discussed.

4. Where do you record patients excluded status?

A central limited access database is kept by the Security Manager with information pertaining to the exclusion being added to the patient record for the appropriate period. The duration of the exclusion is normally one year from the date of issuing the letter.

5. Do you have a policy for the exclusion of patients?

The 'Trust Warning Procedure for individuals exhibiting offensive / unacceptable behaviour' protocol relates to the exclusion of patients.

6. Please supply a copy of that policy?

The 'Trust Warning Procedure for individuals exhibiting offensive / unacceptable behaviour' protocol has been included within this response.

In line with the Information Commissioner's directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log on the Trust's website. However please be assured that we anonymise all responses prior to adding them to the disclosure log.

I hope that this response has provided you with the information you had requested. If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me by telephone or in writing. If however, you are dissatisfied with the way in which your request has been handled and would like an internal review, you will need to contact me in writing at the above address or via cdda-tr.cddftfoi@nhs.

If you remain dissatisfied with our response following an internal review you have the right to appeal to The Information Commissioner at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. More information is available on their website; www.ico.gov.uk.

Yours sincerely

Corporate Records and Freedom of Information Facilitator