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Darlington Memorial Hospital
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Request for Information Reference: 07.19.09

Direct line: 01325 743700
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Email only

1st August 2019

Freedom of Information Act 2000 – Request for Information

Thank you for your request for information received on 4 July 2019 in relation to the County Durham and Darlington NHS Foundation Trust (Trust). We are dealing with your request under the provisions of the Freedom of Information Act 2000.

You requested information regarding endoscopy procedures. Specifically you requested information as follows:

Under Freedom of Information could you tell me;

a) How much does “staff member A” earn per year?

Answer: For a Consultant the pay range is £77,913 - £105,042 per annum (depending on years in that grade)

b) How many EMR's does “staff member A” perform per year?

Answer: In 2018-19 “Staff Member A” had 155

c) How many other patients have received life changing injuries from “staff member A” failure to follow safety protocols?

d) When is CDDNHSFT Going to take steps to ensure that “staff member A” starts to observe safety protocols?

Answer to c) and d): The Freedom of Information Act provides access to information, which may be in hard copy or electronic form, held by a public authority. Question c) includes an element of your own opinion on the staff member’s practice.

With regard to Question c) should the Trust have evidence of any issues of clinical practice, relevant complaints and incidents would be reviewed and investigated as outlined below. To answer Question c) would require an extensive review of all

incidents and complaints where the report mentioned the relevant clinician during – since you have not specified a time period – the individual's time with the Trust. Each case would then require clinical review to consider evidence of injury, whether there have been any failures in safety practice and whether there is evidence of causation between such failures and any injury occurring. Section 12 of the Freedom of Information Act states that a public authority is not obliged to respond to a request where the resource required to respond to that request exceeds a statutory limit of £450.00, which equates to around 18 hours of work at average rates. In this case, the work required would be well in excess of that limit and the Trust is therefore refusing your request under Section 12 of the Act.

Where the Trust has evidence suggesting any failure in practice, such as an incident logged internally, or a complaint, it is investigated as outlined below.

Question d) is predicated on that opinion, assumes a requirement for action and asks a question regarding the Trust's intentions based on that assumption, rather than a setting out a request for information. Accordingly it does not fall within the scope of the Act.

The Trust has procedures in place to investigate any internally reported incident or complaint of harm fully and to oversee any remedial action. Where the findings from any one incident or complaint, or a series of incidents or complaints point to a requirement to review clinical practice, the Trust has procedures in place for the Medical Director or Nursing Directors (as appropriate to the staff group) to require formal investigation under relevant national and local policies. Those officers take any action they consider necessary to keep patients safe during the period of an investigation and the investigation report will determine the further remedial actions required.

The Trust is committed to the vision of Right First Time, Every Time. In order to achieve this, Quality Matters 2017-22 describes the quality priorities of improving patient safety, clinical outcomes and the experience of those who use our care.

Within this are clear statements in terms of how this will be achieved, and the mechanism for learning from incidents. It is a requirement of the appraisal process and Good Medical Practice that all doctors contribute to and comply with systems to protect patients.

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. Therefore, a version of our response which will protect your anonymity will be posted on the County Durham and Darlington NHS Foundation Trust website.

If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me on the above telephone number or at the above address.

If you are unhappy with the way your request for information has been handled, you can request a review by writing to:

The Chief Executive
County Durham & Darlington NHS Foundation Trust
Darlington Memorial Hospital
Hollyhurst Road
Darlington
DL3 6HX

If, you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113
Website: www.ico.gov.uk.

There is no charge for making an appeal.

Yours sincerely



Joanna Tyrrell
Freedom of Information Officer