

Date: Tuesday, 02 June 2020  
Our Ref: HC/SS FOI 4320

Sid Watkins Building  
Lower Lane  
Fazakerley  
Liverpool L9 7BB  
Tel: 0151-525-3611  
Fax: 0151-529-5500  
Direct Line: 0151 556 3038

## Re: Freedom of Information Request FOI 4332

I am writing in response to your request for an internal review submitted under the Freedom of Information Act, this internal review was received on 14th May 2020.

Your original request was as follows in black followed by our original response in [blue](#):

1. How many whistleblowing contacts have been raised within the Trust in the following time periods:  
March 2019, April 2019, March 2020, April 2020

If possible, please break this down by whether the case was raised with:

- a) The Trust's Freedom to Speak Up Guardian
- b) The Trust's other persons with responsibility for whistleblowing? This could include (but may not be limited to) executive director with responsibility for whistleblowing; non-executive director with responsibility for whistleblowing. If it isn't possible to break it down in such a fashion, just give the aggregate figures.

If you are unable to give a specific monthly tally for March and/or April 2019, you may provide the total number for the year. If you are unable to give a specific monthly tally for March and/or April 2020, you may provide the total number for the year to date.

1. 2018/19 = 12

2019/20 = 24

2019/20 (April) = I confirm that The Walton Centre NHS Foundation Trust holds the information you have requested. However, I am unable to provide you with that information as I consider that the following exemptions apply to it:

### Section 40 (2) - Third Party Data

This information is exempt from disclosure under Section 40(2) of the Freedom of Information Act 2000 (FOIA), due to the minimal number of patients identified, and in answering your query it may lead to the undue stress of families and patients as this information could lead to patients being identified. Therefore this information has not been released for reasons of confidentiality.

This exemption is not subject to the public interest test.

This response therefore acts as a refusal notice under section 17 of the FOIA.

2. Does the Trust hold data about these contacts/cases in a spreadsheet or database? If so, please could you provide a list of the data fields - for clarity, this could include but is not limited to categories such as "type of complaint", "status of complaint", etc.

For each item on the list of data fields, please state if the value is to be filled in as a free text field, or a value selected from a drop-down menu. For each of the fields where a value is to be selected from a drop-down menu, please include the options from the drop-down menu.

The Walton Centre NHS Foundation Trust does hold an excel doc which The Trust's Freedom to Speak Up Guardian has developed for staff members who raise concerns but this is confidential. However the National Guardian website may be able to provide guidance as to what information is required to be recorded on a database.



Please see our response to your requested internal review below in blue.

The Walton Centre NHS Foundation Trust (WCFT) has now conducted an internal review following on from your original request which was dealt with under the Freedom of Information Act 2000 (FOIA). Our Internal Review Process details that one of three outcomes can be made from this, the outcomes are as follows:

- The original response is upheld; or
- The original response is reversed in part or in full; or
- The original response is modified.

Following on from the internal review where we have assessed all options and have made the decision to uphold the original response for question 1 and modify the original response for question 2. Please see below:

1. **Modified original response** - The figures provided are annual figures as you have stated in your request this would be acceptable if no other figures could be provided. To confirm the figure 12 related to 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019 and the figure 24 relates to 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020. It was not possible to release this in separate month figures for March 2019 and April 2019 as requested due to the figures being so low and therefore were considered identifiable and S40 (2) Third Party Data exemption was applied. This is also the reason the exemption was applied for the requested separate month figures of March 2020 and April 2020. However we can now confirm that from March 2020 to date there have been 10 concerns raised.
2. **Modified the original response** - The fields used in the excel spreadsheet which was developed by The Trust's Freedom to Speak Up Guardian for staff members who raise concerns are as follows:
  - Case Ref Number
  - Date of Initial email/ telephone call/ contact
  - Date Concern raised meet/ telephone
  - Quarter Received
  - Name
  - Department of Reporter
  - Concern
  - Action Taken
  - Open/ Closed
  - Category
  - Speak Up Again

**Please remember to quote the reference number above in any future communications.**

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely



**Ms Hayley Citrine,  
Chief Executive Officer**