

Date: Wednesday, 14th December 2022
Our Ref: MB/CM FOI 5463

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Re: Freedom of Information Request FOI 5463

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 25th November 2022.

Your request was as follows:

1. How many cases of staff being off with disability-related absences have there been in 2018, 2019, 2020 and 2021, up to and including November 2022?

I can confirm in accordance with Section 1 of the Freedom of Information Act 2000 (FOIA) that we do not hold the information you have requested as we do not record this information as per the request, therefore we cannot provide this information.

Under the FOIA, we are not required to create this information in order to answer your request. I should explain that the FOIA is to do with transparency of information held by public authorities. It gives an individual the right to access recorded information held by public authorities. The FOIA does not require public authorities to generate information, or to answer questions, provide explanations or give opinions, unless this is recorded information that they already hold.

2. How many cases of staff that have been covered under the trust's disability-related absence policy (or where not covered within an separate disability policy) this type of absence is not recorded as sickness or other absence for the above time period?

I can confirm in accordance with Section 1 of the Freedom of Information Act 2000 (FOIA) that we do not hold the information you have requested as the Trust does not have a disability related absence policy, this is incorporated into our Sickness and Absence Policy and we do not record this information as per the request, therefore we cannot provide this information.

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3. How many cases of staff being off on disability-related leave have there been in 2018, 2019, 2020 and 2021, up to and including November 2022?

I can confirm in accordance with Section 1 of the Freedom of Information Act 2000 (FOIA) that we do not hold the information you have requested as we do not record this information as per the request, therefore we cannot provide this information.

Under the FOIA, we are not required to create this information in order to answer your request. I should explain that the FOIA is to do with transparency of information held by public authorities. It gives an individual the right to access recorded information held by public authorities. The FOIA does not require public authorities to generate information, or to answer questions, provide explanations or give opinions, unless this is recorded information that they already hold.

4. How many cases of staff that have been covered under the trust's disability-related leave policy (or where not covered within an separate disability policy) this type of leave is not recorded as annual leave, sickness or other absence for the above time period?

I can confirm in accordance with Section 1 of the Freedom of Information Act 2000 (FOIA) that we do not hold the information you have requested as the Trust does not have a disability related absence policy, this is incorporated into our Sickness and Absence Policy and we do not record this information as per the request, therefore we cannot provide this information.

Under the FOIA, we are not required to create this information in order to answer your request. I should explain that the FOIA is to do with transparency of information held by public authorities. It gives an individual the right to access recorded information held by public authorities. The FOIA does not require public authorities to generate information, or to answer questions, provide explanations or give opinions, unless this is recorded information that they already hold.

5. The number of staff who have been identified with underlying medical conditions which fall within the remit of the Equality Act and have received disability-related absence and disability-related leave as reasonable adjustments through the trust's reasonable adjustment policy for the above time period?

I can confirm in accordance with Section 1 of the Freedom of Information Act 2000 (FOIA) that we do not hold the information you have requested as the Trust does not have a disability related absence policy, this is incorporated into our Sickness and Absence Policy and we do not record this information as per the request, therefore we cannot provide this information.

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To enable individuals to return to work, or to support employees to remain in work, the Trust will endeavour to make any possible reasonable adjustments as advised by Occupational Health, other support bodies (e.g. Access to Work) or following employee risk assessments.

Where an employee has a confirmed long term health condition/disability a reasonable adjustment may be to allow additional time off (without using flexi/annual leave) for appointments specifically relating to their disability (all other routine appointments must be taken in the same way as any other employee would). A further adjustment may also be to amend the Trust sickness trigger points for that individual. Advice from Occupational Health and HR must be sought before any adjustments are agreed in this regard. The level of adjustment will be determined on an individual basis.

Please see our response above in [blue](#).

Re-Use of Public Sector Information



All information supplied by the Trust in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No. 1515 which came into effect on 1st July 2005.

Under the terms of the Regulations, the Trust will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however the Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Further information can be found at www.opsi.gov.uk where a sample license terms and fees can be found with guidance on copyright and publishing notes and a Guide to Best Practice and regulated advice and case studies, at www.opsi.gov.uk/advice/psi-regulations/index.htm

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Freedom of Information Office at the address above.

Please remember to quote the reference number, FOI 5463 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 Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Mike Burns

Mr. Mike Burns, Executive Lead for Freedom of Information