

Freedom of Information Team

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Request for information under the Freedom of Information Act
Released 13 October 2023

Thank you for your email which was received on the 21 September 2023 requesting information regarding public interest disclosures.

Please find detailed below a summary of your request, together with our response.

Summary of your original request:

How many individual cases regarding disclosures made under the Public Interest Disclosure Act 1998 and/or whistleblowers have you fought at employment tribunals since 2015?

2

Please include a year by year breakdown.

| | |
|------|---|
| 2015 | 2 |
| 2016 | 0 |
| 2017 | 0 |
| 2018 | 0 |
| 2019 | 0 |
| 2020 | 0 |
| 2021 | 0 |
| 2022 | 0 |
| 2023 | 0 |

How much has been spent on external lawyers and legal advice for Employment Tribunal Litigation pertaining to public interest disclosures in the past five years?

£121,702

Please include a year by year breakdown.

| | |
|------|----------|
| 2015 | £121,702 |
|------|----------|

Chair John Goulston Chief Executive Mairead McCormick
Trust HQ Trinity House, 110-120 Upper Pemberton, Eureka Park, Ashford, Kent TN25 4AZ

| | |
|------|---|
| 2016 | 0 |
| 2017 | 0 |
| 2018 | 0 |
| 2019 | 0 |
| 2020 | 0 |
| 2021 | 0 |
| 2022 | 0 |
| 2023 | 0 |

Please can you include the name(s) of the law firm(s) and barristers involved and itemise how much was spent on each?

Bevan Brittan - £121,702

How many ongoing cases are there pertaining to the above and in which year did they start?

0

What is the longest ongoing case relating to any of the above and what has been the cost of this to date?

12 months - £118,342

How many 'guardians' has the trust employed each year since 2015 to date? Please provide a breakdown for each.

| | |
|------|---|
| 2015 | 1 guardian |
| 2016 | 1 guardian |
| 2017 | 1 guardian |
| 2018 | 1 guardian |
| 2019 | 1 guardian |
| 2020 | 1 guardian |
| 2021 | 1 guardian |
| 2022 | 1 guardian (1 January to 17 October), 2 guardians (18 October to 31 December) |
| 2023 | 2 guardians (1 January to 5 March), 1 guardian (6 March to current) |

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: kcht.foi@nhs.net.

Please remember to quote the reference number 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, and Cheshire, SK9 5AF or via <https://ico.org.uk/global/contact-us/>.

Yours sincerely

Freedom of Information Act Team

Kent Community Health NHS Foundation Trust copyright

Re-use of information

Any information we provide following your request under the Freedom of Information Act will not confer an automatic right for you to re-use that information, for example, to publish it.

If you wish to re-use the information that we provide and you do not specify this in your initial application for information then you must make a further request for its re-use as per the Re-Use of Public Sector Information Regulations 2015 www.opsi.gov.uk. This will not affect your initial information request. If you wish to re-use any third party copyright material we have identified you will need to obtain permission from the copyright holders. Any enquiries regarding this document/publication should be sent to us at the address above.