

Ref: FOI/GS/ID 6923

Please reply to:
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20 September 2021

Freedom of Information Act 2000

I am writing in response to your request for information made under the Freedom of Information Act 2000 in relation to Policy and Guidance for Nuisance or Disturbance on NHS premises in Maidstone and Tunbridge Wells NHS Trust.

You asked:

Can you confirm:

- 1. That NHS Kent and Medway Clinical Commissioning Group no longer have a policy or guidance on provisions to deal with nuisance or disturbance on NHS premises?*
- 2. That MTW NHS have appointed authorised officer/officers? If so are they directly employed by MTW NHS? If so, what is their day to day job role?*
- 3. The role, appointment and expectations explained in the above guidance document for an authorised officer is no longer expected from current authorised officers employed by MTW NHS?*
- 4. MTW NHS body no longer authorise and suitably train authorised officers?*
- 5. MTW NHS no longer train authorised officers on sections 119-120 of the Criminal Justice and Immigration Act 2008 and how to assess whether a person has committed an offence or not?*
- 6. The MTW NHS authorised officers no longer have the responsibility to keep a record of incidents and the information recorded?*
- 7. The MTW NHS authorised officers are no longer trained in the Health and Safety at Work Act 1974 and the management of Health and Safety and Work Regulations 1999?*
- 8. MTW NHS authorised officers are not trained in mental health awareness in accordance with the Mental Health Act 2007?*
- 9. MTW NHS authorised officers no longer receive Conflict Resolution Training to assess whether a person has reasonable excuse to cause a nuisance or disturbance or reasonable excuse for refusing to leave the NHS premises?*

10. MTW NHS authorised officers are no longer trained to ensure the public are aware of the offence of causing a nuisance or disturbance to an NHS staff members on NHS premises and the power that NHS staff have to remove people suspected of committing this offence?

Trust response:

1. Maidstone and Tunbridge Wells NHS Trust cannot confirm if the NHS Kent and Medway Clinical Commissioning Group no longer have a policy or guidance on provisions to deal with nuisance or disturbance on NHS premises.

2. Maidstone and Tunbridge NHS Trust can confirm that this question has been answered in our letter to your previous FOI request (ID 6847) dated 19 August 2021 question 3. The Chief Executive Officer remains the accountable officer for the Trust. He has delegated responsibility for exclusion for reason of threats and violence to members of the Executive Team. Details of the Executive Team can be found on the Trust website <https://www.mtw.nhs.uk/about-us/trust-board/>

3. The Trust follows the guidance as set out in the Criminal Justice and Immigration Act 2008 and guidance on provisions to deal with nuisance or disturbance behaviour on NHS premises in England V2 issued by NHS Protect in March 2012. Maidstone and Tunbridge NHS Trust can confirm that the Chief Executive Officer remains the accountable officer for the Trust. He has delegated responsibility for exclusion for reason of threats and violence to members of the Executive Team.

4. The Chief Executive Officer remains the accountable officer for the Trust. He has delegated responsibility for exclusion for reason of threats and violence to members of the Executive Team. The Trust authorised officers do not have to be individually trained but have access to subject matter experts who provide advice and recommendations.

5. The Trust authorised officers do not have to be individually trained but have access to subject matter experts who provide advice and recommendations in this subject.

6. All incidents are recorded on the Trust Incident Management System.

7. All employees of the Trust are required to undertake mandatory Health and Safety training every three years. The Trust authorised officers also have access to subject matter experts who provide advice and recommendations in this subject.

8. The Trust authorised officers do not have to be individually trained but have access to subject matter experts who provide advice and recommendations in this subject.

9. The Trust provides Conflict Resolution Training and in addition the Trust authorised officers have access to subject matter experts who provide advice and recommendations in this subject.

10. The Trust authorised officers do not have to be individually trained but have access to subject matter experts who provide advice and recommendations in this subject. There are posters, notices and advertisements about the zero tolerance of any form of abuse, aggression, violence, disturbance and nuisance within NHS premises.