

Ref: FOI/GS/ID 7275

Please reply to:
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24 March 2022

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 CRB check for David Fuller.

You asked:

Did David Fuller work for the Maidstone and Tunbridge Wells NHS Trust as electrician between 1988 and 2011 without a Criminal Records Bureau check being conducted by the trust?

If the answer is no, why, if the CRB check service was introduced in 2002, did the trust never request David Fuller undertake a CRB check before he left the Trust's employment in 2011?

Trust response:

The information requested is exempt from disclosure under the Freedom of Information Act 2000 Section 36(2)(c) as the Trust is not required to provide information in response to a request if the disclosure of the information would, in the reasonable opinion of a qualified person, prejudice or would be likely to prejudice "the effective conduct of public affairs."

The Trust's 'qualified person', the Chief Executive, has duly provided their reasonable opinion that disclosure would, or would likely, prejudice the effective conduct of public affairs, and in particular The Independent Inquiry into the issues raised by the David Fuller case, that was established following the Secretary of State for Health and Social Care's Oral Statement to Parliament on 8th November 2021, and which is intending to publish its initial report on matters relating to David Fuller's activities at Maidstone and Tunbridge Wells NHS Trust during 2022.