

Ref: FOI/GS/ID 9164

Please reply to:
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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 MHPS Procedure.

You asked: All questions are shown as received by the Trust.

- 1. Please confirm has your Trust adopted the Just Learning Culture in handling of concerns following receipt of Dido Harding's letter that was sent to all Chairs and Chief Executives of NHS Trusts and NHS Foundation Trusts dated 23 May 2019.*
- 2. Does your MHPS Procedure set out an informal process to deal with concerns pertaining to conduct/ capability of medical and dental staff, if so please provide details.*
- 3. Please provide details of what training and support is provided by your Trust to Case Investigators and Case Managers when dealing with MHPS cases.*
- 4. Please can you confirm if your Trust has a Decision-Making Group and if so please can you confirm who sits on this group/how this is constituted and its remit?*

Please provide a breakdown of the requested information below for the period from May 2019 to date:

- 5. The number of cases of medical and dental staff that were handled and resolved via a Just Culture approach and informal process.*
- 6. The number of cases of medical and dental staff that were subjected to a formal MHPS investigation.*
- 7. The number of medical and dental staff that have been formally excluded under MHPS and the duration of the exclusion.*
- 8. Where medical and dental staff have been formally excluded under MHPS please provide a breakdown of whether this was on grounds of a) a need to protect the interests of patients or other staff pending the outcome of a full*

investigation, and/or b) the presence of the practitioner in the workplace was likely to impede the gathering of evidence during the investigation?

9. Please provide the number of medical and dental staff that were placed on restricted duties and the duration of these restrictions.

10. Please provide a breakdown of how many of these formal MHPS investigations were:

- a. Resolved with no further action due to the concerns not being upheld*
- b. Resolved via an agreement to proceed through a disciplinary fast track process which avoided the need to proceed to a formal hearing*
- c. Proceeded to a formal hearing – conduct or capability (provide breakdown)*
- d. Other outcome - provide details*

11. Of the cases that proceeded to a formal hearing please confirm how many of these resulted in:

- a. No disciplinary sanction - because the allegation/concerns were not upheld*
- b. No disciplinary sanction - but ended with a recommendation for additional training/remediation/support*
- c. A disciplinary sanction – please confirm the level of this sanction (e.g. written warning/final written warning/dismissal)*
- d. Number of medical staff who appealed the disciplinary sanction and the outcome*
- e. Other outcome - provide details*

12. Please provide length of time from start to finish of each MHPS case.

Trust response:

Q1 – No

Q2 – Yes, policy is attached to the email.

Q3 – Training - periodic formal MHPS training provided by NHS Employers when there's a large enough cohort, last conducted in 2019. Other managers have undertaken the training through PPAS on an individual basis. Support – dedicated Employee Relations Advisor on every case.

Q4 – No.

Q5 – 0

Q6 – 13

Q7 – 3

Q8 – To protect patients/staff in all cases

Q9 – 1 person - 2.5 months

Q10

a) 7

b) 0

c) 6 (all conduct)

d) 2 (both resigned)

Q11

a) 0

b) 0

c) Final Warning – 2 / Dismissed - 4.

d) 2 (both rejected)

Q12

Person 1 – 3 months, 7 days

Person 2 – 2 months, 19 days (Part 1) / 2 months, 13 days (Part 2)

Person 3 – 2 months, 27 days
Person 4 – 4 months, 4 days
Person 5 – 1 month, 30 days
Person 6 – 2 months, 15 days
Person 7 – 2 months, 19 days
Person 8 – 5 months, 22 days
Person 9 – 1 month, 9 days
Person 10 – 2 months, 4 days
Person 11 – 2 months, 10 days
Person 12 – 1 month, 28 days
Person 13 – 7 days