

**Freedom of Information Request**

**Ref: 24-565**

13 September 2024

By Email

Dear Sir/Madam

Thank you for your request for information under the Freedom of Information Act 2000. The Trust's response is as follows:

- We can confirm that we do hold the information you are requesting

**To the extent that this is practical, please provide your responses to the below questions in an **\*\*Excel\*\*** spreadsheet. Please include VAT in all sums.**

**\*\*QUESTION ONE\*\***

**Please give me the total trust spend for each of the following ET claims:**

**- Dr N Bhatt v University Hospitals Bristol and Weston NHS Foundation Trust: 1406149/2019**

- a. Solicitors' fees:** £140,517.41
- b. Barristers' fees:** £64,641.90
- c. External mediator fees (if applicable):** £5,403.78
- d. External investigator fees\*\* (if applicable):** Not applicable
- e. Salary paid to the claimants while suspended (if applicable):** Not applicable
- f. Salary paid to workers brought in to cover shifts of the suspended claimant (if applicable):** Not applicable
- g. Total paid to claimant as part of settlement agreement (if applicable):** We have not provided the information in the requested format as in our view disclosure of information would breach the Data Protection Act. Therefore please find that Section 40(2) exemption contained within the Freedom of Information Act 2000 is engaged. Section 40 is the exemption for personal information.
- h. Any other relevant costs:** Not applicable

**- Ms C Hancock v University Hospitals Bristol NHS Foundation Trust: 1400153/2018**

- a. Solicitors fees:** £18,424.80
- b. Barristers' fees –** Not applicable
- c. External mediator fees (if applicable):** Not applicable

- d. External investigator fees\*\* (if applicable):** Not applicable
- e. Salary paid to the claimants while suspended (if applicable):** Not applicable
- f. Salary paid to workers brought in to cover shifts of the suspended claimant (if applicable):** Not applicable
- g. Total paid to claimant as part of settlement agreement (if applicable):** We have not provided the information in the requested format as in our view disclosure of information would breach the Data Protection Act. Therefore please find that Section 40(2) exemption contained within the Freedom of Information Act 2000 is engaged. Section 40 is the exemption for personal information.
- h. Any other relevant costs:** Not applicable

**- Ms M McTigue v University Hospitals Bristol NHS Foundation Trust: 1401217/2014**

- a. Solicitors' fees:** - £165,182.92 + disbursements of £534.00 (photocopying etc linked to bundling)
- b. Barristers' fees:** - £12,109.79
- c. External mediator fees (if applicable):** Not applicable
- d. External investigator fees\*\* (if applicable):** Not applicable
- f. Salary paid to workers brought in to cover shifts of the suspended claimant (if applicable):** Not applicable
- g. Total paid to claimant as part of settlement agreement (if applicable):** We have not provided the information in the requested format as in our view disclosure of information would breach the Data Protection Act. Therefore please find that Section 40(2) exemption contained within the Freedom of Information Act 2000 is engaged. Section 40 is the exemption for personal information.
- h. Any other relevant costs:** Not applicable

**For each case, please break the spending down into the following categories:**

- a. Solicitors' fees\* (if applicable)**
- b. Barristers' fees\* (if applicable)**
- c. External mediator fees (if applicable)**
- d. External investigator fees\*\* (if applicable)**
- e. Salary paid to the claimant while suspended (if applicable)**
- f. Salary paid to workers brought in to cover shifts of the suspended claimant (if applicable)**
- g. Total paid to claimant as part of settlement agreement (if applicable)**
- h. Any other relevant costs**

**For each case, please also provide the names of the solicitors' firm(s), barrister(s)/chamber(s), mediator/mediation firm(s), and investigator(s) that the costs were paid to.**

**\*\*QUESTION TWO\*\***

**The cases listed in Question One are all taken from the Government Employment Tribunal (ET) website for cases where PIDA (Public Interest Disclosure Act) claims have advanced quite far, usually with several preliminary hearings held. Most cases do not get this far.**

**Please tell me how many other cases you have in which current or former employees**

**lodged ET1 claim forms alleging a Public Interest Disclosure Act claim between 1 April 2017 and 31 March 2024 that are not included in the list in Question One.**

**Please give the total trust spend on these additional claims, broken down into the following categories:**

- a. Solicitors' fees\* (if applicable)**
- b. Barristers' fees\* (if applicable)**
- c. External mediator fees (if applicable) d. External investigator fees\*\* (if applicable) e. Salary paid to the claimants while suspended (if applicable) f. Salary paid to workers brought in to cover shifts of the suspended claimants (if applicable) g. Total paid to claimants as part of settlement agreement (if applicable) h. Any other relevant costs**

**For a to d, please provide the names of the firms, companies, and/or individuals to whom the costs were paid.**

**\*\*NB:\*\***

**\*All solicitors' and barristers' fees disclosed should include spending on both legal and non-legal services. These 'non-legal' services include (but are not limited to) investigations, advice on pre-litigation strategy, mediation, and mediation training.**

**\*\*\*"Investigator" covers investigators brought in to carry out investigations both into concerns raised by claimants (e.g., a Royal College hired to investigate patient safety concerns) and an external investigator brought in to review or investigate the conduct and/or capacity of the claimant (e.g., an HR firm hired to carry out an independent investigation of the claimant's conduct). For the avoidance of doubt, this covers both formal and informal investigations, inquiries, and "reviews".**

Unfortunately, our financial/HR systems do not allocate a specific code to log employment tribunals/disputes by dispute type. This means that to establish which cases involved a public interest disclosure claim we would need to carry out a manual search of all employment claims received by the Trust over this 7-year period. Furthermore, most employment claims involve a number of different allegations and this would mean each single claim would need to be reviewed in detail for this purpose. We have no doubt that this search activity would significantly exceed the 18 hours limit set down by the FOIA as the reasonable limit. Section 12 of the FOIA provides that we are not obliged to spend in excess of 18 hours in any sixty-day period locating, retrieving and identifying information in order to deal with a request for information and therefore we are withholding this information at this time.

**\*\*QUESTION THREE\*\***

**Please provide your trust spend in GBP on legal retainers or other similar contractual arrangements with any legal firm or barrister/chambers between 1 April 2017 and 31 March 2024.**

None

**Please break this down by financial year and by name of the firm/barrister/chambers in receipt of funds.**

Not applicable

This concludes our response. We trust that you find this helpful, but please do not hesitate to contact us directly if we can be of any further assistance.

If, after that, 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:

Data Protection Officer  
University Hospitals Bristol and Weston NHS Foundation Trust  
Trust Headquarters  
Marlborough Street  
Bristol  
BS1 3NU

Please remember to quote the reference number above 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, Cheshire, SK9 5AF

#### Publication

Please note that this letter and the information included/attached will be published on our website as part of the Trust's Freedom of Information Publication Log. This is because information disclosed in accordance with the Freedom of Information Act is disclosed to the public, not just to the individual making the request. We will remove any personal information (such as your name, email and so on) from any information we make public to protect your personal information.

To view the Freedom of Information Act in full please click [here](#).

Yours sincerely

**Freedom of Information Team  
University Hospitals Bristol and Weston NHS Foundation Trust**