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Our ref: 3385

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Freedom of information request

I am writing in response to your request for information which has been handled under the Freedom of Information Act 2000 (FOIA).

Your questions and our response are below.

Please disclose in relation to the past 5 years:

- a) the trust's total spend on services by Capsticks LLP (whether these relate to legal services, investigations, training, sub-contracting consultants or investigators or any other services).

The Trust's spend for the five years 2011/12 to 2015/16 on Capsticks is £2,339,581; broken down by year as below:

Year	Value
2011/12	409,810
2012/13	469,300
2013/14	405,346
2014/15	566,146
2015/16	488,979
Total	2,339,581

- b) what proportion of this total amount has been spent in cases where staff members had previously made public interest disclosures, and how many such cases were handled by Capsticks LLP.

The Trust does not hold the information you requested in a format that is easily retrievable for the first part of question b. To provide answers to your question would involve a manual search which is expected to take longer than the appropriate limit. Section 12 of FOIA states that a public authority is not obliged to comply with a request where the cost of doing so would exceed the appropriate limit.

For the second part of question b, there is a risk that if we were to place the number in the public domain that someone may be able to identify the individual. On this basis we rely on the exemption contained in s40 (2) and condition in s40(3)(a)i, which prevents us from disclosing personal data if by doing so we would breach any of the data protection principles. We do not believe that staff would expect us to process their personal data in this way and conclude that disclosure would breach the first data protection principle, which requires us to process personal data fairly and lawfully.

d) how many of these cases involving Capsticks LLP in which staff members had previously made public interest disclosures ended in dismissal of the staff concerned.

Given the low number of staff involved for question d, there is a risk that if we were to place the number in the public domain that someone may be able to identify the individual. On this basis we rely on the exemption contained in s40 (2) and condition in s40(3)(a)i, which prevents us from disclosing personal data if by doing so we would breach any of the data protection principles. We do not believe that staff would expect us to process their personal data in this way and conclude that disclosure would breach the first data protection principle, which requires us to process personal data fairly and lawfully.

e) how many such staff were dismissed not for misconduct or incapability issues, but via "Some other Substantial Reason" 0

f) how many trust compromise agreements has Capsticks LLP handled in the last 5 years. We are collating this information and will forward separately as soon as it is available.