

Freedom of Information Request: Our Reference CTHB_433_18

You asked:

1. How many cases of internal protected disclosure (whistle-blowing) relating to health care have been investigated by your health board over the past 2 fiscal years? (broken down by fiscal year)
2. How many of the cases investigated were deemed malicious or vexatious in nature?
3. How many claims were made by employees against your health board?
 - a) What were the total management costs for those claims? (broken down by fiscal year)
 - b) What were the total legal costs for those claims?
 - c) What was the total in damages awarded for those claims?
4. How many financial settlements were made and what was the total cost for those settlements?

Our response:

In relation to questions 1 & 2, in terms of whistle blowing, I can confirm that the Health Board does hold the information requested. However, whistle blowing or staff concerns can be provided anonymously or in confidence therefore, the Health Board will not provide specific numbers as requested, due to the small numbers of staff involved. I can confirm there was less than five concerns raised.

It is our view that the information you have requested constitutes the personal information of staff that have raised these initial concerns, and consider that disclosure of such low instances would allow the potential for the individuals to be identified from the information provided. Therefore, the data is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute as unfair and unlawful processing in regard to Articles 5, 6, and 9 of GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.

In relation to question 3a, I can confirm that we do not record the management costs for dealing with claims.

For questions 3b – 4, the health board has a nil response.