

FOI008 Response

Request

The FOI Response is unsatisfactory. The information requested has not been provided. The NHS Trust is in breach of the FOI Act 2000.

The two contracts of employment provided by the NHS Trust in the FOI Response (below) are contracts of employment for salaried NHS employees, i.e. contracts of employment that are issued to UK/EU full-time salaried NHS employees employed by the Trust in the job of trainee clinical psychologist.

The FOI Request (14/03/2021) requested copies of contracts of issued to non-salaried foreign workers who are charged c.£75,000 per person to work in BSMHFT (for three years) as trainee clinical psychologists, i.e. non-salaried foreign nationals who work alongside salaried NHS employees. The foreign workers have to pay money to work in BSMHFT. All NHS 'workers' must be subject to contracts.

Therefore, the contracts of employment supplied in the FOI Response cannot be contracts of employment that are issued to foreign nationals who are forced to pay themselves to work within BSMHFT.

Please provide copies of the actual contracts issued by the NHS Trust to foreign nationals who are forced to pay c.£75,000 per person for three year periods.

If contracts are not issued for the aforementioned foreign nationals, please state explicitly on what legal basis do the foreign nationals conduct activities/tasks within BSMHFT as trainee clinical psychologists alongside their salaried NHS employee counterparts?

Response

Currently there are no arrangements in place for non-salaried foreign workers who are charged to work in the Trust as Trainee Clinical Psychologists.

As mentioned in the disclosed response to FOI337, the Trust does not have a contract with HEE for the provision of Employment and Pre-Registration Training in Clinical Psychology. Rather Health Education England (HEE) have a contractual relationship with the University of Birmingham (UoB) to deliver clinical psychology training against an agreed schedule and number of places. It is therefore UoB that admit suitable candidates and deliver the clinical psychology training.

With the above in mind, please note that the Trust is not involved in any arrangements that are in place for individuals admitted to participate in the clinical psychology doctorate training, including individuals of foreign nationality that self-fund their placement as they are not eligible for an NHS commissioned place.

As UoB admit suitable candidates and deliver the clinical psychology training, it is recommended that you link in with them to establish the arrangements they have in place for foreign nationals (who are self-funded due to not being eligible for an NHS commissioned place) that join their Doctoral Training Programme for Trainee Clinical Psychologist.

In terms of non-salaried / non-employed staff who undertake clinical work within our Trust (usually via a temporary placement for training purposes) an Honorary Contract will be issued to cover the placement work.