

FOI 0157/2024 Response

Dear Birmingham and Solihull Mental Health NHS Foundation Trust,

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:

- Miss T Jeynes v Birmingham and Solihull Mental Health NHS Foundation Trust: 1300720/2022
- Dr R Heal v Birmingham and Solihull Mental Health NHS Foundation Trust: 1310186/2020

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

a. Solicitors' fees* (if applicable)

For both the answer is none as employment tribunal matters are dealt with by in-house Legal Department

b. Barristers' fees* (if applicable)

For both, the answer is none.

- 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

None of the questions contained within point C. are applicable to either case.

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.

Not applicable, see answers to point a. and b.

****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.

None

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

a. Solicitors' fees* (if applicable)

Not applicable

b. Barristers' fees* (if applicable)

Not 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.

Not applicable

****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".**

****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.

The Trust does not have legal retainers with external legal firm or chambers. If external legal support is required, this is arranged via the NHS HTE Framework or through membership of the NHSR CNST/LTPS indemnity insurance scheme.

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

See above response