



Resolution

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18th June 2021

FOI_5055

Thank you for your email of 9 May 2021 in which you requested the following information:

With respect to data held under the role of Practitioner Performance Advice Service (formally known as NCAS) and data relating to NHS Foundation Trusts in England.

Please provide annual figures for the last 5 completed years:

- 1. the total annual numbers of new cases submitted (or discussed) under the MHPS (Maintaining High Professional Standards) process*
- 2. the number of organisations and the average number per organisation*
- 3. list of organisations and submissions per year*
- 4. for each year a break-down of the grade of the doctors per organisation*
- 5. the outcome of the referral:*
 - o number of referrals resulting in advice only*
 - o number of referrals resulting in assessments undertaken by the PPAS*
 - o number of referrals when the employer has failed to he[e]d [sic] the advice*
- 6. the average time to resolution*
- 7. the annual number of cases upheld (under MHPS)*

Our Response

Please accept our apologies for the late response to your request.

To help respond to your request, we considered it might be helpful to first direct you to our website which outlines the purpose of Practitioner Performance Advice ('the Advice service') and the services we deliver. As an advisory body our role is to help healthcare employers/contracting bodies and practitioners where concerns have been raised about their performance, and work with them to resolve these issues. You can find more information about us [here](#).

It may be helpful to note that information we hold in relation to live cases shared within this response can be subject to change owing to case updates from the parties with whom we are engaging and other steps we may take periodically to ensure our records are as complete and accurate as possible.

Please find the answers to your questions outlined below. Please note that all information provided below relates to Foundation Trusts (FTs) within England only.

- 1. The total annual numbers of new cases submitted (or discussed) under the MHPS (Maintaining High Professional Standards) process*

Please note that, in relation to your enquiry about cases under *Maintaining High Professional Standards (MHPS) in the Modern NHS*, MHPS only applies to doctors and dentists employed by NHS organisations in England.

MHPS applies mainly in secondary care as primary care has different guidance and processes. Although in our experience most FTs have adopted MHPS to some degree, by virtue of their status this means they have greater flexibility in establishing their own processes which are not required to align with MHPS. Therefore, we are unable to readily identify the number of cases that have been opened as a result of an FT following the MHPS process for the purpose of this response. To do so would require a manual review of individual cases and would go beyond the 18 hours FOI Act threshold of staff time to respond to this request. As an alternative and by way of assistance (as is required under s.16 of the FOI Act) we have provided you with a breakdown of cases from FTs that were newly opened during the time period specified (2016/17 to 2020/21) in relation to secondary care for doctors only. Please find the information below in Table 1.

Table 1¹.

Financial year	Number of FTs who made contact with Advice	Total number of cases opened as a result of FTs making contact with the Advice service
2016/17	111	318
2017/18	110	321
2018/19	108	342
2019/20	112	301
2020/21	102	320

2. *The number of organisations and the average number per organisation*

Table 2 outlines the average number of cases per FT over the time period specified.

Table 2¹

Financial year	Average number of cases per FT who have made contact with the Advice service
2016/17	2.9
2017/18	2.9
2018/19	3.2
2019/20	2.7
2020/21	3.1

The average number of cases per FT who have used our service over the entire five year period specified is 10.1.

3. *List of organisations and submissions per year*

We have carefully considered your request and regret that we are unable to fully meet your request to provide you with the number of cases per organisation (FTs), per year.

The disclosure of information with this level of granularity is exempt under Section 40(2) by virtue of section 40(3)(a)(i) of the FOI Act, where disclosure to a member of the public would contravene one or more of the data protection principles. The data protection principles are set out in Article 5 of the General Data Protection Regulation. We take the view that it would not be fair or lawful (given the sensitive and confidential nature of the information held) to disclose

¹ Please note that the figures outlined are based on FTs as they were named at the time the case was opened with us (we appreciate some FTs have since merged) in the specific financial year.

such information, and any disclosure would therefore contravene the first data protection principle (this deals with fairness and lawfulness). We do not believe the data subjects would expect us to process their personal information in this way and we do not believe there is a legal requirement for us to do so.

If we disclosed the information in the public domain in the way you have requested, we believe the likelihood exists that individuals who are the subject of this information may be identified either from this information alone, or in combination with other information. In addition to this, as this information is considered to be confidential in nature (relating to an individual's performance) NHS Resolution believes it has a greater responsibility to protect those individuals' identities, as disclosure could potentially cause damage and/or distress to those involved.

Please refer to the following decision notice published by the Information Commissioner's Office which supports our application of the above exemption: Decision Notice is [found here](#).

As an alternative, we have provided a list of FTs who made contact with the Advice service and provided a range of cases over the time specified (FY 2016/17 – 2020/21) in **Annex A**.

4. For each year a break-down of the grade of the doctors per organisation

We are unable to meet your request by providing you with a year-on-year breakdown of the grade of doctors per FT due to the number of cases in many instances being below five on our case records for the time period, per FTs identified within this response.

However, to assist with your request as much as possible, we have provided a breakdown of cases involving doctors by each grade group for all FTs who have opened cases with the Advice service over the time specified (FY 2016/17 – 2020/21) in Table 3 below. Figures below five have been suppressed. Where we have recorded a grade group as 'unknown', this relates to any individual or organisation who have not disclosed this information to the Advice service because they do not have the information available to them, do not wish to share with the Advice service or it is not relevant for the case type (e.g. a general case which does not relate to an individual practitioner).

Table 3

Financial year	Grade group category	Total number of FTs who have made contact with the Advice service	Total number of cases
2016/17	Consultant or equivalent	96	202
	Other career grade (Secondary care)	46	67
	Training grade (Secondary care)	15	25
	Unknown	12	15
2017/18	Consultant or equivalent	96	208
	Other career grade (Secondary care)	36	60
	Training grade (Secondary care)	24	29
	Unknown	16	18
2018/19	Consultant or equivalent	97	221
	Contractor performer	#	#

	Non-contractor performer	#	#
	Other career grade (Secondary care)	40	60
	Training grade GP	#	#
	Training grade (Secondary care)	16	20
	Unknown	20	29
2019/20	Consultant or equivalent	99	187
	Non-contractor performer	#	#
	Other career grade (Secondary care)	32	44
	Training grade (Secondary care)	26	31
	Unknown	28	32
2020/21	Consultant or equivalent	85	187
	Non-contractor performer	#	#
	Other career grade (Secondary care)	37	55
	Training grade GP	#	#
	Training grade (Secondary care)	25	34
	Unknown	30	36

5. *The outcome of the referral:*

- a) *number of referrals resulting in advice only*
- b) *number of referrals resulting in assessments undertaken by the PPAS*
- c) *number of referrals when the employer has failed to he[e]d [sic] the advice*

For ease of answering this question we have broken down your request into three separate points and respond accordingly below:

- a) We do not hold any information on outcomes as requested. As we are an advisory body, our involvement will be guided by the nature and type of support requested; trusts and individuals are not obliged to follow the advice we provide. Please see our response to question 1 above where we have outlined the number of new requests for advice across the period specified (2016/17 – (2020/21) for FTs who have made contact with the service.
- b) Please see Table 4 below where we have provided you with the number of assessments (which will follow if the Advice service agrees that such an intervention would offer a suitable way forward) during the period specified (2016/17 – 2020/21);
- c) We do not hold any information on outcomes as requested. As we are an advisory body, FTs and individuals are not required to follow the advice. Therefore, we cannot provide you with information about the employer engaging with the practitioner on the advice provided.

Table 4

Financial Year	No. of FTs	No. of Assessments
2016/17	10	10
2017/18	2	2
2018/19	11	12
2019/20	3	3
2020/21	3	3

Grand Total	29	30
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6. *The average time to resolution*

Our understanding of what you are seeking is the average time it takes for an FT to reach a resolution in relation to the case on which they have sought our advice. As the Advice service is an advisory body, it may mean we potentially close a case because the trust is content they no longer need to draw on our services. Therefore we regret that we do not hold this information as the FT is the decision making body responsible for managing and ultimately resolving the concerns.

7. *The annual number of cases upheld (under MHPS)*

This information is not held within our system; please refer to our response to question 1 (page 1 and 2) regarding MHPS.

By way of assistance (in accordance with our duties under section 16 FOI Act) the Advice service is an advisory body and any decision making in relation to the employment or practice status of an individual practitioner remains for the employer to ultimately make that decision. Therefore, we have no role in 'upholding' a case. Due to the nature of our service as an advisory body we do not keep records about the resolution determined locally within a FT either. We may provide a single instance of advice in relation to a matter, periodic advice over a longer period of time, or an assessment or other intervention over a longer period of time by way of supporting an organisation or practitioner.

This concludes our response to your request.

We hope this above information is helpful.

If you are not satisfied with the service that you have received in response to your information request, it is open to you to make a complaint and request a formal review of our decision. If you choose to do this, you should write to [Tinku Mitra](#), Head of Corporate and Information Governance for NHS Resolution, within 28 days of your receipt of this reply. Reviews of decisions made in relation to information requests are carried out by a person who was not involved in the original decision-making about the request.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a review of the decision. Generally, the Information Commissioner will not make a decision unless you have exhausted the local complaints procedure. The address of the Information Commissioner's Office is:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
<https://ico.org.uk/>

Annex A

FTs who made contact with the Advice service between 2016/17 - 2020/21	Number of cases opened as a result of FTs making contact with the Advice service
AIREDALE NHS FOUNDATION TRUST	0 - 10
ALDER HEY CHILDREN'S NHS FOUNDATION TRUST	11 - 20
ASHFORD AND ST PETER'S HOSPITALS NHS FOUNDATION TRUST	21- 30
BARNSELY HOSPITAL NHS FOUNDATION TRUST	0 - 10
BEDFORDSHIRE HOSPITALS NHS FOUNDATION TRUST	11 - 20
BERKSHIRE HEALTHCARE NHS FOUNDATION TRUST	0 - 10
BIRMINGHAM AND SOLIHULL MENTAL HEALTH NHS FOUNDATION TRUST	11 - 20
BIRMINGHAM COMMUNITY HEALTHCARE NHS FOUNDATION TRUST	0 - 10
BIRMINGHAM WOMEN'S AND CHILDREN'S NHS FOUNDATION TRUST	21- 30
BLACK COUNTRY HEALTHCARE NHS FOUNDATION TRUST	0 - 10
BLACKPOOL TEACHING HOSPITALS NHS FOUNDATION TRUST	21- 30
BOLTON NHS FOUNDATION TRUST	0 - 10
BRADFORD DISTRICT CARE NHS FOUNDATION TRUST	0 - 10
BRADFORD TEACHING HOSPITALS NHS FOUNDATION TRUST	0 - 10
BRIDGEWATER COMMUNITY HEALTHCARE NHS FOUNDATION TRUST	0 - 10
CALDERDALE AND HUDDERSFIELD NHS FOUNDATION TRUST	11 - 20
CALDERSTONES PARTNERSHIP NHS FOUNDATION TRUST	0 - 10
CAMBRIDGE UNIVERSITY HOSPITALS NHS FOUNDATION TRUST	0 - 10
CAMBRIDGESHIRE AND PETERBOROUGH NHS FOUNDATION TRUST	0 - 10
CAMDEN AND ISLINGTON NHS FOUNDATION TRUST	0 - 10
CENTRAL AND NORTH WEST LONDON NHS FOUNDATION TRUST	11 - 20
CHELSEA AND WESTMINSTER HOSPITAL NHS FOUNDATION TRUST	31 - 40
CHESHIRE AND WIRRAL PARTNERSHIP NHS FOUNDATION TRUST	0 - 10
CHESTERFIELD ROYAL HOSPITAL NHS FOUNDATION TRUST	0 - 10
CORNWALL PARTNERSHIP NHS FOUNDATION TRUST	0 - 10
COUNTY DURHAM AND DARLINGTON NHS FOUNDATION TRUST	21 - 30
CUMBRIA, NORTHUMBERLAND, TYNE AND WEAR NHS FOUNDATION TRUST	11 - 20
DERBYSHIRE COMMUNITY HEALTH SERVICES NHS FOUNDATION TRUST	0 - 10

DERBYSHIRE HEALTHCARE NHS FOUNDATION TRUST	11 - 20
DONCASTER AND BASSETLAW TEACHING HOSPITALS NHS FOUNDATION TRUST	11 - 20
DORSET COUNTY HOSPITAL NHS FOUNDATION TRUST	0 - 10
DORSET HEALTHCARE UNIVERSITY NHS FOUNDATION TRUST	0 - 10
EAST KENT HOSPITALS UNIVERSITY NHS FOUNDATION TRUST	21 - 30
EAST LONDON NHS FOUNDATION TRUST	11 - 20
EAST SUFFOLK AND NORTH ESSEX NHS FOUNDATION TRUST	21 - 30
ESSEX PARTNERSHIP UNIVERSITY NHS FOUNDATION TRUST	0 - 10
FRIMLEY HEALTH NHS FOUNDATION TRUST	0 - 10
GATESHEAD HEALTH NHS FOUNDATION TRUST	0 - 10
GLOUCESTERSHIRE HEALTH AND CARE NHS FOUNDATION TRUST	0 - 10
GLOUCESTERSHIRE HOSPITALS NHS FOUNDATION TRUST	0 - 10
GREAT ORMOND STREET HOSPITAL FOR CHILDREN NHS FOUNDATION TRUST	11 - 20
GREAT WESTERN HOSPITALS NHS FOUNDATION TRUST	21 - 30
GREATER MANCHESTER MENTAL HEALTH NHS FOUNDATION TRUST	0 - 10
GUY'S AND ST THOMAS' NHS FOUNDATION TRUST	11 - 20
HAMPSHIRE HOSPITALS NHS FOUNDATION TRUST	0 - 10
HARROGATE AND DISTRICT NHS FOUNDATION TRUST	11 - 20
HERTFORDSHIRE PARTNERSHIP UNIVERSITY NHS FOUNDATION TRUST	0 - 10
HOMERTON UNIVERSITY HOSPITAL NHS FOUNDATION TRUST	11 - 20
HUMBER TEACHING NHS FOUNDATION TRUST	0 - 10
JAMES PAGET UNIVERSITY HOSPITALS NHS FOUNDATION TRUST	0 - 10
KENT COMMUNITY HEALTH NHS FOUNDATION TRUST	0 - 10
KETTERING GENERAL HOSPITAL NHS FOUNDATION TRUST	0 - 10
KING'S COLLEGE HOSPITAL NHS FOUNDATION TRUST	41 - 50
KINGSTON HOSPITAL NHS FOUNDATION TRUST	0 - 10
LANCASHIRE AND SOUTH CUMBRIA NHS FOUNDATION TRUST	11 - 20
LANCASHIRE TEACHING HOSPITALS NHS FOUNDATION TRUST	31 - 40
LEEDS AND YORK PARTNERSHIP NHS FOUNDATION TRUST	11 - 20
LINCOLNSHIRE PARTNERSHIP NHS FOUNDATION TRUST	0 - 10
LIVERPOOL HEART AND CHEST NHS FOUNDATION TRUST	0 - 10
LIVERPOOL UNIVERSITY HOSPITALS NHS FOUNDATION TRUST	11 - 20
LIVERPOOL WOMEN'S NHS FOUNDATION TRUST	0 - 10
MANCHESTER UNIVERSITY NHS FOUNDATION TRUST	41 - 50
MEDWAY NHS FOUNDATION TRUST	11 - 20
MID AND SOUTH ESSEX NHS FOUNDATION TRUST	21 - 30

MID CHESHIRE HOSPITALS NHS FOUNDATION TRUST	0 - 10
MID STAFFORDSHIRE NHS FOUNDATION TRUST	0 - 10
MIDLANDS PARTNERSHIP NHS FOUNDATION TRUST	0 - 10
MILTON KEYNES HOSPITAL NHS FOUNDATION TRUST	0 - 10
MOORFIELDS EYE HOSPITAL NHS FOUNDATION TRUST	0 - 10
NORFOLK AND NORWICH UNIVERSITY HOSPITALS NHS FOUNDATION TRUST	21 - 30
NORFOLK AND SUFFOLK NHS FOUNDATION TRUST	0 - 10
NORTH CUMBRIA INTEGRATED CARE NHS FOUNDATION TRUST	0 - 10
NORTH EAST AMBULANCE SERVICE NHS FOUNDATION TRUST	0 - 10
NORTH EAST LONDON NHS FOUNDATION TRUST	11 - 20
NORTH TEES AND HARTLEPOOL NHS FOUNDATION TRUST	0 - 10
NORTH WEST ANGLIA NHS FOUNDATION TRUST	21 - 30
NORTH WEST BOROUGHES HEALTHCARE NHS FOUNDATION TRUST	0 - 10
NORTHAMPTONSHIRE HEALTHCARE NHS FOUNDATION TRUST	11 - 20
NORTHERN LINCOLNSHIRE AND GOOLE NHS FOUNDATION TRUST	11 - 20
NORTHUMBRIA HEALTHCARE NHS FOUNDATION TRUST	11 - 20
NOTTINGHAMSHIRE HEALTHCARE NHS FOUNDATION TRUST	0 - 10
OXFORD HEALTH NHS FOUNDATION TRUST	11 - 20
OXLEAS NHS FOUNDATION TRUST	0 - 10
PENNINE CARE NHS FOUNDATION TRUST	0 - 10
QUEEN VICTORIA HOSPITAL NHS FOUNDATION TRUST	0 - 10
ROTHERHAM DONCASTER AND SOUTH HUMBER NHS FOUNDATION TRUST	0 - 10
ROYAL BERKSHIRE NHS FOUNDATION TRUST	11 - 20
ROYAL DEVON AND EXETER NHS FOUNDATION TRUST	11 - 20
ROYAL FREE LONDON NHS FOUNDATION TRUST	21 - 30
ROYAL NATIONAL HOSPITAL FOR RHEUMATIC DISEASES NHS FOUNDATION TRUST	0 - 10
ROYAL PAPWORTH HOSPITAL NHS FOUNDATION TRUST	0 - 10
ROYAL SURREY NHS FOUNDATION TRUST	11 - 20
SALFORD ROYAL NHS FOUNDATION TRUST	21 - 30
SALISBURY NHS FOUNDATION TRUST	11 - 20
SHEFFIELD CHILDREN'S NHS FOUNDATION TRUST	11 - 20
SHEFFIELD HEALTH AND SOCIAL CARE NHS FOUNDATION TRUST	11 - 20
SHEFFIELD TEACHING HOSPITALS NHS FOUNDATION TRUST	21 - 30
SHERWOOD FOREST HOSPITALS NHS FOUNDATION TRUST	0 - 10
SOMERSET NHS FOUNDATION TRUST	11 - 20
SOUTH CENTRAL AMBULANCE SERVICE NHS FOUNDATION TRUST	0 - 10

SOUTH EAST COAST AMBULANCE SERVICE NHS FOUNDATION TRUST	0 - 10
SOUTH LONDON AND MAUDSLEY NHS FOUNDATION TRUST	11 - 20
SOUTH STAFFORDSHIRE AND SHROPSHIRE HEALTHCARE NHS FOUNDATION TRUST	0 - 10
SOUTH TEES HOSPITALS NHS FOUNDATION TRUST	0 - 10
SOUTH TYNESIDE AND SUNDERLAND NHS FOUNDATION TRUST	31 - 40
SOUTH WARWICKSHIRE NHS FOUNDATION TRUST	11 - 20
SOUTH WEST YORKSHIRE PARTNERSHIP NHS FOUNDATION TRUST	0 - 10
SOUTH WESTERN AMBULANCE SERVICE NHS FOUNDATION TRUST	0 - 10
SOUTHERN HEALTH NHS FOUNDATION TRUST	11 - 20
STOCKPORT NHS FOUNDATION TRUST	0 - 10
SURREY AND BORDERS PARTNERSHIP NHS FOUNDATION TRUST	0 - 10
SUSSEX COMMUNITY NHS FOUNDATION TRUST	0 - 10
SUSSEX PARTNERSHIP NHS FOUNDATION TRUST	11 - 20
TAMESIDE AND GLOSSOP INTEGRATED CARE NHS FOUNDATION TRUST	0 - 10
TEES, ESK AND WEAR VALLEYS NHS FOUNDATION TRUST	11 - 20
THE CHRISTIE NHS FOUNDATION TRUST	0 - 10
THE CLATTERBRIDGE CANCER CENTRE NHS FOUNDATION TRUST	0 - 10
THE DUDLEY GROUP NHS FOUNDATION TRUST	21 - 30
THE HILLINGDON HOSPITALS NHS FOUNDATION TRUST	11 - 20
THE NEWCASTLE UPON TYNE HOSPITALS NHS FOUNDATION TRUST	0 - 10
THE QUEEN ELIZABETH HOSPITAL KING'S LYNN NHS FOUNDATION TRUST	11 - 20
THE ROBERT JONES AND AGNES HUNT ORTHOPAEDIC HOSPITAL NHS FOUNDATION TRUST	0 - 10
THE ROTHERHAM NHS FOUNDATION TRUST	11 - 20
THE ROYAL MARSDEN NHS FOUNDATION TRUST	0 - 10
THE ROYAL ORTHOPAEDIC HOSPITAL NHS FOUNDATION TRUST	0 - 10
THE TAVISTOCK AND PORTMAN NHS FOUNDATION TRUST	0 - 10
THE WALTON CENTRE NHS FOUNDATION TRUST	0 - 10
TORBAY AND SOUTH DEVON NHS FOUNDATION TRUST	0 - 10
UNIVERSITY COLLEGE LONDON HOSPITALS NHS FOUNDATION TRUST	11 - 20
UNIVERSITY HOSPITAL SOUTHAMPTON NHS FOUNDATION TRUST	21 - 30
UNIVERSITY HOSPITALS BIRMINGHAM NHS FOUNDATION TRUST	0 - 10
UNIVERSITY HOSPITALS BRISTOL AND WESTON NHS FOUNDATION TRUST	0 - 10
UNIVERSITY HOSPITALS BRISTOL NHS FOUNDATION TRUST	11 - 20

UNIVERSITY HOSPITALS DORSET NHS FOUNDATION TRUST	21 - 30
UNIVERSITY HOSPITALS OF DERBY AND BURTON NHS FOUNDATION TRUST	21 - 30
UNIVERSITY HOSPITALS OF MORECAMBE BAY NHS FOUNDATION TRUST	31 - 40
UNIVERSITY HOSPITALS BIRMINGHAM NHS FOUNDATION TRUST	0 - 10
WARRINGTON AND HALTON TEACHING HOSPITALS NHS FOUNDATION TRUST	31 - 40
WEST MIDLANDS AMBULANCE SERVICE NHS FOUNDATION TRUST	0 - 10
WEST SUFFOLK NHS FOUNDATION TRUST	11 - 20
WESTERN SUSSEX HOSPITALS NHS FOUNDATION TRUST	11 - 20
WIRRAL COMMUNITY HEALTH AND CARE NHS FOUNDATION TRUST	0 - 10
WIRRAL UNIVERSITY TEACHING HOSPITAL NHS FOUNDATION TRUST	11 - 20
WRIGHTINGTON, WIGAN AND LEIGH TEACHING NHS FOUNDATION TRUST	11 - 20
YEOVIL HOSPITAL NHS FOUNDATION TRUST	0 - 10
YORK AND SCARBOROUGH TEACHING HOSPITALS NHS TRUST	11 - 20