



NHS Resolution 8th Floor  
10 South Colonnade  
Canary Wharf  
London  
E14 4PU  
Telephone: 020 7811 2700

March 2023  
FOI\_5855

Thank you for your email of 28 February 2023 in which you requested information regarding Guy's and St Thomas' NHS Foundation Trust. This response is being sent solely with regard to your queries, which fall within the scope of the Freedom of Information Act 2000.

In your email, you asked the following:

*Can you let [name redacted] and I know about how many different members of staff GSTT management have approached you about in the last 5 years on a year by year basis.*

*Can you provide demographic especially race and outcome data for these staff.*

### **Our response**

To help respond to your request, 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 individual practitioners' performance, and work with those involved to resolve these issues. You can find more information about us [here](#).

We have carefully considered your request to provide information about how many members of Guy's and St Thomas' staff have approached the Advice service over the last five years. Please note that the Advice service advises on staff who are doctors, dentists or pharmacists and does not provide case advice relating to other professional groups.

Over the last five financial years, from 1 April 2018 to 8 March 2023, the Advice service has received 14 requests for advice from Guy's & St Thomas' NHS Foundation Trust. Requests for advice can be a self-referral by a practitioner, a request for advice about a specific practitioner, a general request for advice, which is not attributable to a practitioner but relates instead to systems or policies, or relate to a group of practitioners. Of the 14 requests for advice, 12 were requests for advice about specific practitioners and two were general requests for Advice.

We regret that we are unable to fully meet your request to provide specific numbers on a year-by-year basis nor the request for the demographic characteristics of the practitioners involved, as the numbers are so low as to give rise to risk of disclosure of their identity. This is because we consider the disclosure of information with this level of granularity to be exempt under section 40(2) by virtue of section 40(3A) (a) of the Freedom of Information Act 2000, where disclosure to a member of the public would contravene one or more of the data protection principles.

The first data protection principle concerns fairness and lawfulness, and we take the view that it would be neither fair nor lawful to disclose more detailed information. This is in part because data subjects who use our service would not 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 requested 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 from this information alone, or in combination with other information. This is particularly true in relation to the second part of your request, regarding demographic information from Guy's and St Thomas'.

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.

You may instead be interested in our recent publication, ['Who are the practitioners we advise on and are there any patterns of concerns'](#) which describes the demographics of the practitioners we have advised on over a five year period.

We are also unable to provide the information requested on outcomes of cases. As we are an advisory body, our involvement will be guided by the nature and type of support requested and may conclude before an outcome is reached between the practitioner and their employer/contracting body.

**This concludes our response to your request.**

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 decisions. If you choose to do this, you should write to [Tinku Mitra](#), Deputy Director of Corporate and Information Governance, Data Protection Officer 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

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