

10 May 2024

Staff Misconduct and Capability

Staff misconduct/disciplinary policy

1. How many staff misconduct incidents were recorded by Belfast Trust?

Combined with point 2 as outlined below

2. How many times was the disciplinary procedure invoked in response to reported incidents?

Combined with point 1 as outlined below

3. How many times was action taken in response?

The information requested is not centrally held and a manual trawl of records would be required. We estimate that compliance with this element of the request for information would exceed the appropriate costs limit. Under Section 12 of the Freedom of Information 2000, the limit has been specified as £450 and represents the estimated cost of one or more persons spending 18 hours in determining whether we hold the information, locating, retrieving and extracting this information.

4. What actions were taken?

We are not able to provide the information requested as this is deemed to be Personal Information Relating to a Third Party and is exempt under Section 40(2) of the Freedom of Information Act 2000 as disclosure would contravene Data Protection Principle (a).

Please see below tables indicating the total number of disciplinary cases by year and by band, beginning in 2021.

The years 2019-2020 have been excluded as the Selenity system used to track cases only became operational during 2020, and therefore not all cases will have been recorded using this and the total number would not be considered accurate.

The number of cases have been grouped by banding to avoid instances wherein there are 5 or less cases at any individual band. Information by staff group (e.g. Nursing & Midwifery, Medical, Admin etc) is not included as this information is not generated when reporting from Selenity and would require a manual trawl of records.

We estimate that compliance with this element of the request for information would exceed the appropriate costs limit. Under Section 12 of the Freedom of Information

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2000, the limit has been specified as £450 and represents the estimated cost of one or more persons spending 18 hours in determining whether we hold the information, locating, retrieving and extracting this information.

Points 1 & 2 have been consolidated as staff misconduct issues reported are logged under disciplinary policy on the ER tracking system (for both informal and formal cases).

Concerns relating to medical staff have been excluded as these are managed under Maintaining High Professional Standards (MHPS) in the first instance.

2021

Pay band	No of disciplinary cases
Bands 1 - 2	22
Band 3 - 4	36
Band 5 - 6	29
Band 7 and above	19
Grand Total	106

2022

Pay band	No of disciplinary cases
Band 1 - 2	33
Band 3 - 4	31
Band 5 - 6	17
Band 7 and above	13
Not recorded	1
Grand Total	95

2023

Pay band	No of disciplinary cases
Band 2 - 3	57
Band 4 - 5	31
Band 6 and above	17
Not recorded	1
Grand Total	106

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2024*

Pay band	No of disciplinary cases
Band 2 - 3	17
Band 4 - 5	6
Band 5 and above	7
Grand Total	30

Capability

For each year from January 2019 to date, please provide the following information.

1. How many staff capability incidents were recorded by Belfast Trust?

Combined with point 2 as outlined below

2. How many times was the capability procedure invoked in response to reported incidents?

Combined with point 1 as outlined below

3. How many times was action taken in response?

The information requested is not centrally held and a manual trawl of records would be required. We estimate that compliance with this element of the request for information would exceed the appropriate costs limit. Under Section 12 of the Freedom of Information 2000, the limit has been specified as £450 and represents the estimated cost of one or more persons spending 18 hours in determining whether we hold the information, locating, retrieving and extracting this information.

4. What actions were taken?

We are not able to provide the information requested as this is deemed to be Personal Information Relating to a Third Party and is exempt under Section 40(2) of the Freedom of Information Act 2000 as disclosure would contravene Data Protection Principle (a).

Please see below table indicating the total number of capability cases by year and by band, beginning in 2021.

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The years 2019-2020 have been excluded as the Selenity system used to track cases only became operational during 2020, and therefore not all cases will have been recorded using this and the total number would not be considered accurate.

Capability concerns relating to medical staff have been excluded as these follow a separate process from the Trust capability procedure.

The number of cases have been presented as a total for each year (rather than by band) as capability cases are relatively small in number and to avoid instances wherein there are 5 or less cases at any individual band. Information by staff group (e.g. Nursing & Midwifery, Medical, Admin etc) is not included as this information is not generated when reporting from Selenity and would require a manual trawl of records.

We estimate that compliance with this element of the request for information would exceed the appropriate costs limit. Under Section 12 of the Freedom of Information 2000, the limit has been specified as £450 and represents the estimated cost of one or more persons spending 18 hours in determining whether we hold the information, locating, retrieving and extracting this information.

Points 1 & 2 have been consolidated to reflect both informal and formal capability cases recorded on the ER tracking system. Capability 'incidents' are not recorded separately.

2021

	Capability cases
<i>Grand Total</i>	12

2022

Row Labels	Capability cases
<i>Grand Total</i>	13

2023

	Capability cases
<i>Grand Total</i>	23

2024*

	Capability cases
<i>Grand Total</i>	7

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*The FOI request dated 17 April 2024 asked for the information available 'to date' to be provided. This information is based on a full download of ER cases as of 1 May 2024.