

Trust Headquarters
Russells Hall Hospital
Dudley
West Midlands
DY1 2HQ

Date: 21/07/2014

FREEDOM OF INFORMATION ACT 2000 - Ref: FOI/011884

With reference to your FOI request in connection with 'Complaints' please see response below.

I would like to request the following information in relation to healthcare assistants (HCAs) working for the NHS.

1. Details of all complaints made against HCAs since January 1, 2010. More specifically:

- a) The total number of complaints made against HCAs for each calendar year since January 2010
- b) For each case, the date of the complaint made, a brief description of the allegations, whether there was a case to answer, whether the complaint was upheld and details of any subsequent action taken (including, but not restricted to written warning, verbal warning, restricted duties, sacked, suspended etc)
- c) How many HCAs have faced misconduct hearings since January 1, 2010? For each case, please provide a breakdown of the nature of the misconduct hearing, and the outcome.

There are no complaints specifically recorded against HCAs since January 2010

With regard to misconduct hearings, this information is not held centrally and would be held on individual employee files.

2. Details of DBS/CRB checks carried out on healthcare assistants since January 1, 2010. More specifically:

- a) How many healthcare assistants began their employment with the trust, without a relevant DBS/CRB check being completed?
- b) For each case, please state the date, and how long the HCA worked at the trust before the relevant DBS/CRB check was completed

In response to 2a and 2b, records held of employee DBS checks are managed on a cyclical basis for staff in high risk areas. Once a check is undertaken and recorded, it overwrites any information relating to the previous check as the most recent check is the most relevant. As such we are unable to provide an accurate response based upon the records held.

c) Please disclose how many HCAs were found to have a previous caution or conviction during their employment with the trust

d) For each case listed in 2c) please describe the previous caution or conviction discovered and the subsequent action taken against them

In response to 2c and 2d, guidance from NHS Employers states Guidance from NHS Employers states that criminal record information should not be retained for any longer than necessary. Once a decision has been made as to whether to appoint or not, it should be kept for no longer than six months from the check being completed, and six months from where the applicant has been unsuccessful to allow for the consideration and resolution of any disputes or complaints". In instances where a DBS check reveals a conviction, a full risk assessment is undertaken by the Trust Safeguarding Panel. Once completed, a record containing the permitted information will be placed in the individual employee file. There is no centralised record for this information