

Ref. No: 1055
Date: 04/07/24
Subject: Discrimination Settlements

REQUEST

I am writing to request information under the Freedom of Information Act 2000. Please provide the following details for the Mersey and West Lancashire NHS Trust/ STHK for the past five financial years:

1. The number of discrimination claims made by employees.
2. The number of discrimination claims that resulted in a settlement.
3. The total amount paid out in settlements for discrimination claims.
4. The nature of discrimination claims (e.g., racial, gender, disability).

RESPONSE

St Helens and Knowsley Teaching Hospitals NHS Trust and Southport and Ormskirk Hospital NHS Trust became a single legal entity known as Mersey and West Lancashire Teaching Hospitals NHS Trust on 1st July 2023, as such parts of the response may be provided in two sections relating to the hospital sites of each of the legacy organisations.

1. The number of discrimination claims made by employees.
<5
2. The number of discrimination claims that resulted in a settlement.
<5
3. The total amount paid out in settlements for discrimination claims.
N/A

4. The nature of discrimination claims (e.g., racial, gender, disability).

Disability x <5

Race x <5

Section 40: personal information

We are unable to provide precise figures when those figures refer to individuals in volumes of 5 or less due to the risk that individuals will be re-identified, as we are required to protect their identity under the General Data Protection Regulations & Data Protection Act 2018. In such circumstances Section 40(2) and Section 40(3) of the Freedom of Information Act apply. In this case, our view is that disclosure would breach the first data protection principle which states that personal data should be processed “lawfully, fairly and in a transparent manner”. It is the lawful aspect of this principle which, in our view, would be breached by disclosure, and in such circumstances, Section 40 confers an absolute exemption on disclosure.