

22 October 2024

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Our Ref: FOI/05274

Thank you for your request concerning legal fees for claims against HPFT.

Your request has been considered and processed in accordance with the requirements of the Freedom of Information (FOI) Act 2000.

To the extent that this is practical, please provide your responses to the below questions in an **Excel**** spreadsheet. Please include VAT in all sums.**

****QUESTION ONE****

Please give me the total trust spend for each of the following ET claims:

**- Mrs [REDACTED] v Hertfordshire Partnership University NHS Foundation Trust and Others:
3328753/2017**

For each case, please break the spending down into the following categories:

- a. Solicitors' fees* (if applicable)**
- b. Barristers' fees* (if applicable)**
- c. External mediator fees (if applicable) d. External investigator fees** (if applicable)**
- e. Salary paid to the claimant while suspended (if applicable)**
- f. Salary paid to workers brought in to cover shifts of the suspended claimant (if applicable)**
- g. Total paid to claimant as part of settlement agreement (if applicable)**
- h. Any other relevant costs**

For each case, please also provide the names of the solicitors' firm(s), barrister(s)/chamber(s), mediator/mediation firm(s), and investigator(s) that the costs were paid to.

The information you are requesting is not held in a reportable manner. To provide this information would invoke S12 - cost of compliance exceeds the appropriate limit because we would need to go to our off site archives to retrieve and manually review the documents. This is estimated to be at least 3 days work (22.5 hours @ £25 = £562.50)

****QUESTION TWO****

The cases listed in Question One are all taken from the Government Employment Tribunal (ET) website for cases where PIDA (Public Interest Disclosure Act) claims have advanced quite far, usually with several preliminary hearings held. Most cases do not get this far.

Please tell me how many other cases you have in which current or former employees lodged ET1 claim forms alleging a Public Interest Disclosure Act claim between 1 April 2017 and 31 March 2024 that are not included in the list in Question One.



Please give the total trust spend on these additional claims, broken down into the following categories:

- a. Solicitors' fees* (if applicable)
- b. Barristers' fees* (if applicable)
- c. External mediator fees (if applicable) d. External investigator fees** (if applicable) e. Salary paid to the claimants while suspended (if applicable) f. Salary paid to workers brought in to cover shifts of the suspended claimants (if applicable) g. Total paid to claimants as part of settlement agreement (if applicable) h. Any other relevant costs

For a to d, please provide the names of the firms, companies, and/or individuals to whom the costs were paid.

****NB:****

***All solicitors' and barristers' fees disclosed should include spending on both legal and non-legal services. These 'non-legal' services include (but are not limited to) investigations, advice on pre-litigation strategy, mediation, and mediation training.**

****“Investigator” covers investigators brought in to carry out investigations both into concerns raised by claimants (e.g., a Royal College hired to investigate patient safety concerns) and an external investigator brought in to review or investigate the conduct and/or capacity of the claimant (e.g., an HR firm hired to carry out an independent investigation of the claimant's conduct). For the avoidance of doubt, this covers both formal and informal investigations, inquiries, and “reviews”.**

Not applicable, we are unable to locate any other ET cases where the reason is due to a Public Interest Disclosure Act.

****QUESTION THREE****

Please provide your trust spend in GBP on legal retainers or other similar contractual arrangements with any legal firm or barrister/chambers between 1 April 2017 and 31 March 2024.

Please break this down by financial year and by name of the firm/barrister/chambers in receipt of funds.

Generally (not just related to ET claims) we do not have any legal retainers or other similar contractual arrangements with any legal firm or barrister/chambers in relation to Employer Liability, Public Liability, Clinical Negligence claims or MH Legislation services.

Should you require further clarification or like to discuss payment, please do not hesitate to contact me.

Please find enclosed an information sheet regarding copyright protection and the Trust's complaints procedure in the event that you are not satisfied with the response.

Yours sincerely

Sue Smith

**Sue Smith
Information Rights Officer**

Enc: Copyright Protection and Complaints Procedure Information Leaflet.

