

**FOI Disclosure by University Hospitals of Morecambe Bay NHS Foundation Trust 15 November 2016:**

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Dear Ian

**RE: REQUEST FOR INFORMATION UNDER THE FREEDOM OF INFORMATION ACT (FOI Act)**

I refer to my letter dated 18 October 2016 and I am now able to provide the following response to your request.

You asked for the following information and our responses appear in **bold**:

1. What were the reasons for the trust under-taking an internal review into the settlement agreement that it reached with Jeanette Parkinson. Please share the documents and correspondence that relate to the decision to undertake the review, and the details of how it would be conducted.

**Following the publication of the findings of the Morecambe Bay Investigation in March 2015, the Trust has sought to fully embed the learning that has emanated from this, working with a wide variety of partners and stakeholders. This has included close liaison with the families to understand residual concerns and issues and to work with them to achieve satisfactory closure (where possible).**

**A specific stream of work is being undertaken with a family who lost a loved one following care at the Trust in 2008. Part of this stream of work looked at the how the staff involved in the loved one's care had been held to account. It was as part of this review of staff that the compromise agreement came to light.**

**The Trust then undertook a preliminary investigation into the circumstances and detail of the Compromise Agreement and the background to it. This was to ensure that it was agreed through appropriate governance processes, did not prevent or obstruct the individual from being held to account for her actions, and also ensured value-for-money to the taxpayer.**

**Please find a copy of the summary report attached, from which personal data has been redacted.**

2. Can you tell me when the following bodies were given a copy of the trust's internal review report on the settlement agreement reached with Jeannette Parkinson:

- Nursing and Midwifery Council: **w/c 5<sup>th</sup> September 2016**
- Care Quality Commission: **w/c 5<sup>th</sup> September 2016**
- Warrington and Halton Hospitals NHS Foundation trust: **w/c 5<sup>th</sup> September 2016**

3. Was there any clause in the settlement agreement with Jeanette Parkinson that required the signatories not to disclose the existence of, or contents of the agreement?

**Whilst the Settlement Agreement contained the standard confidentiality clause at that time, it also included specific non-standard clauses requiring participation in external/internal investigations, regulatory interventions and proceedings.**

4. Has the trust entered into any other settlement agreements that contain similar undertakings not to investigate a member of staff?

**All agreements dating back to 2011 have been examined and the Trust can confirm that there are no other agreements in existence with similar undertakings not to investigate a member of staff.**

If you are unhappy with the way the Trust has handled your request, you may ask for an internal review by contacting: Mary Aubrey, Director of Governance, Westmorland General Hospital, Burton Road, Kendal LA9 7RG.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

I hope this information has answered your question. If you require any further clarification or assistance regarding this request, please do not hesitate to contact the Freedom of Information office on 01539 715212. Please remember to quote the reference number above in any future communications.

Kind regards

**MARY AUBREY  
DIRECTOR OF GOVERNANCE**