

Reference Number: FOIAH2324/182
From: Press/Media
Date: 05 July 2023
Subject: Number of Staff Rehired after Retiring and Accessing their Pension under the NHS Re-Employment Scheme

This is a request under the Freedom of Information Act, and I seek information on staff retiring and later being re-hired through the NHS re-employment scheme at your trust.

Q1 Please state the number of persons rehired by your trust after retiring and accessing their pension under the NHS re-employment scheme in each of the following calendar years:

i) 2018, 2019, 2020, 2021, 2022, 2023

A1

2018	2019	2020	2021	2022	2023
21	34	22	19	36	12

Q2 For each year, please provide a breakdown of persons rehired under this scheme by job category e.g. Allied health professionals, Nursing and Midwifery etc

A2

	2018	2019	2020	2021	2022	2023
Administrative & Clerical	Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.	6	6	Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.	10	Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.
Medical & Dental	Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.			Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.	7	Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.

				identify individuals involved.		identify individuals involved.
Nursing & Midwifery Registered	6	15	7	7	10	Information exempted under Section 40: Personal data. Providing this information would likely identify individuals involved.

The Trust is unable to respond to all or specific elements of your request where the response would indicate five or less individuals. The Trust is withholding this information under Section 40 (Personal Information) of the Freedom of Information Act (FOIA) 2000 to reduce the risk of any individuals being identified. The Trust is of the view that disclosure of such information would significantly increase the risk of individuals being identified and as such would constitute a breach of their personal data.

The Trust has applied exemption Section 40(2) of the FOIA and is therefore withholding the information as disclosure which may identify an individual would breach their rights under the Data Protection Act 2018. The grounds for application of this exemption include:

- Any data relating to patients or staff is third party data, furthermore health data is classified as sensitive personal data within the Data Protection Act 2018. As such, Section 40 (2) of the FOIA applies along with the Trusts duty of confidentiality. Therefore under s.2 (3) (f) (ii) of the FOIA, there is an absolute exemption from disclosure on the grounds that it would contravene the First Data Protection Principle.
- The Trust has a duty under the Data Protection Act 2018 and specifically the First Data Protection Principle to ensure personal data regarding staff and patients is processed fairly and lawfully. Disclosure of such data which may identify an individual, either through the data alone or other data in conjunction with that data which may identify an individual would therefore breach this principle.
- The Data Protection Act 2018 defines sensitive personal data to include data relating to the “physical or mental health or condition” of a person. Any such information about specific individuals falls within this category and disclosure of such data including statistical data, with any potential likelihood of identification would breach the Data Protection Act 2018.

Q3 For each year, please state the number rehired that were

- NHS managers
- NHS very senior managers

A3 The Trust is withholding this information under Section 40 (Personal Information) of the Freedom of Information Act (FOIA) 2000 to reduce the risk of any individuals being identified. The Trust is of the view that disclosure of such information would significantly increase the risk of individuals being identified and as such would constitute a breach of their personal data, as per A2.