

Freedom of Information  
Frimley Health NHS Foundation Trust  
Heatherwood Hospital  
Greenwood Offices  
London Road  
Ascot  
SL5 8AA

Date: 12<sup>th</sup> January 2021

Address: [MinhAlexander@aol.com](mailto:MinhAlexander@aol.com)

Dear Requester

Request for Information Reference: FOI 0548-20

**Please note: The email address for submitting FOI requests is: [fht.foi@nhs.net](mailto:fht.foi@nhs.net) please always use this email address.**

Thank you for your request for information, which was received on 10<sup>th</sup> December 2020, which is detailed below with the Trust's response.

You have requested a response from the merged trust Frimley Health NHS Foundation Trust; this includes a response from Frimley Park Hospital (FPH) and Heatherwood and Wexham Park Hospital (HWPH).

	Information Request	Trust Response
	<p><b>Adverse ET judgment in Ms Donna Simmonds v Frimley Health NHS Foundation Trust</b></p> <p>1. With regard to the following whistleblowing case which was recently determined in the Employment Tribunal in the claimant's favour, against Frimley Health NHS Foundation Trust,</p> <p><b>Ms Donna Simmonds v Frimley Health NHS Foundation Trust</b></p>	
1	The trust's total legal expenses in this case, including any non litigation services such as advice and investigatory work	Information not held in a format to work this out. Fees and expenses are not categorise to a specific claim.
2	Please advise who was the most senior trust officer who signed off these expenses, in terms of their role and seniority	The Director of HR is kept apprised of all legal fees for ET's

3	Please advise what was the trust's system at the time for signing off litigation expenses	The Trust has an electronic system and invoices are authorised electronically by the Deputy HRD or HRD
4	Were litigation expenses approved via the trust board and if so, how?	Litigation expenses are authorised by Deputy HRD or HRD
5	Was there a trust committee, besides the trust board, which was responsible for scrutinising legal expenditure? If so, please give details of the committee and its membership in 2017	No, there was not a committee responsible for scrutinising legal expenditure
6	Please disclose what the trust has provided to the Care Quality Commission as evidence of learning in response to the adverse ET judgment, which concluded that Frimley Health NHS Foundation Trust victimised and unfairly dismissed a whistleblower	The information sent to the CQC on their request is attached. To note, the ET judgement upheld 3 claims of protected disclosure detriments but dismissed unfair dismissal claims

[https://assets.publishing.service.gov.uk/media/5ef1d7a6d3bf7f6c03ed25c9/Ms\\_D\\_Simmonds\\_v\\_Frimley\\_Health\\_NHS\\_Foundation\\_Trust\\_-\\_3329309-2017-FMH-Reserved.pdf](https://assets.publishing.service.gov.uk/media/5ef1d7a6d3bf7f6c03ed25c9/Ms_D_Simmonds_v_Frimley_Health_NHS_Foundation_Trust_-_3329309-2017-FMH-Reserved.pdf)

If you are dissatisfied with how your request has been handled or would like to formally appeal against our response, you can complain in writing to:

Head of Information Governance  
Frimley Health NHS Foundation Trust  
Heatherwood Hospital  
Greenwood Offices  
High Street  
Ascot  
SL5 8AA  
Email: [fht.information.governance@nhs.net](mailto:fht.information.governance@nhs.net)

If, after we have addressed your complaint, you remain dissatisfied with how the Trust has responded, you are entitled to appeal to the Information Commissioner (Tel: 0303 123 1113). Further details can be found at [www.ico.org.uk](http://www.ico.org.uk).

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To enquire about re-using the information or if you have any enquiries about Re-use, please write to us at the above address or email

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To find out more information about the types of information the Trust makes available on a routine basis this is detailed in our Publication Scheme on the Trust's website at: [www.fhft.nhs.uk](http://www.fhft.nhs.uk)

Yours sincerely,

**Information Governance Office**