

FOI2122(473)

Freedom of Information request into the CQC Fit and Proper Person Regulation 5 referral on Lynne Taylor former Director of Planning and Performance & trust learning from Linda Fairhall's case

Lynne Taylor was referred to the Care Quality Commission under FPPR after being criticised by an Employment Tribunal for harming a whistleblower, Mrs Linda Fairhall. Lynne Taylor was the most senior trust officer identified in this case of whistleblower reprisal. Please advise what process the trust followed to review whether Lynne Taylor was a Fit and Proper Person to be a trust director.

Please include in the trust's response the following:

- Did the trust commission any external review?**
- If so, from whom did the trust commission an external review?**

Whilst a Fit and Proper Person Review relating to the individual was carried out confirming compliance with the regulation, this question relates to information that is personal to the individual and is therefore not for release under the Freedom of Information Act.

Had the party who carried out an external review done any previous work for the trust? If so, please specify what this was and whether or not that party had previously undertaken any work for the trust with respect to the whistleblowing case of Mrs Linda Fairhall.

An independent case review was undertaken by the Trust on 11 August 2021 conducted by a panel of senior experts who had no prior involvement in the process. Key areas of learning and development were identified in relation to process and people management practices or adoption more widely within the Trust.

Which trust director(s) signed off the decision to appeal the Employment Judgment in Linda Fairhall's favour?

The decision to appeal the Employment Judgement was agreed by the Trust Board of Directors.

Since losing its appeal against the ET judgment in Linda Fairhall's favour, has the trust reviewed the matter in order to learn and avoid future harm to whistleblowers? If so, please share any review report or equivalent.

Following the appeal, the Trust wrote to the Care Quality Commission on 6 October 2021 outlining the objectives of the independent learning review. This formed a detailed map of actions to be incorporated into the Trust's People Practices and Lessons Learned plan which will form the basis of continued learning and development across the organisation. It is important to note that the Trust has a recognised governance and assurance process which will ensure learning and appropriate actions are overseen by the Trust Executive Management Team in order to provide assurance to the Board of Directors and prevent cases of a similar nature in future.