

Freedom of Information request 120-18

Request

I would like to request the following under freedom of information.

- a) During the most recent five years (2013-2017), how much has the health board spent paying for salaries of staff while they were on 'gardening leave' pending the outcome of an investigation.
- b) How many members of staff were placed on gardening leave during this time?
- c) How many of these members of staff were subsequently cleared of any wrongdoing?
- d) How many of these staff members were subsequently dismissed?
- e) Of those dismissed, how many received compromise agreements and/or severance packages and what was the cost of these to the health board?

Response

There have been no NHS Borders staff members on 'gardening leave' pending the outcome of an investigation in the past 5 years.

The NHS Borders Management of Employee Conduct Policy states that where an allegation poses a risk to clinical, financial or staff governance then consideration should be given to alternatives to suspension, including temporarily moving the employee to another work area, or considering other duties, where such an alternative removes the identified risk. If an employee is suspended from work relating to a disciplinary investigation it will be on full pay and for as short a time as possible.

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or foi.enquiries@borders.scot.nhs.uk.

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **120-18** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.