

Freedom of Information request 31-22

Request

Due to the new guidelines/laws being enforced on all NHS, apparently regardless of position held within the trust, please accept this request for information under the freedom of information act.

1. Please confirm the categories of, and numbers, of staff, if any, that do not perform CQC Regulated Activities. ie Chief Executive, Managers, HR Staff, Medical Secretaries, IT Staff, etc and the numbers falling into each group.
2. Please confirm the categories of, and numbers, of staff, if any, that will not be required to be vaccinated under the Government Guidelines or Laws. ie Chief Executive, Managers, HR Staff, Medical Secretaries, IT Staff, etc and the numbers falling into each group.
3. What provision, if any, is there for these staff to be given a safe working environment outside of a hospital setting, that would be afforded to them under Health & Safety Laws? ie Is there a satellite office/building where members of staff that do not have or require direct contact with patients or careers, and are staff being given the option to work in such buildings? Alternatively is there provision for these staff to work from home (as may have happened during periods of staff isolation)?
4. Please confirm the categories of, and numbers, of staff, including clinical and frontline, if any, that have been identified as not "fully vaccinated". ie Chief Executive, Managers, HR Staff, Medical Secretaries, IT Staff, Receptionists, Consultants, Porters, etc and the numbers falling into each group.
5. Please confirm the categories of, and numbers, of staff, if any, that fall into the numbers identified in question 1 and 2 above, that have been told they might be required to be "fully vaccinated" prior to 1st April 2022.
6. Is any provision, as outlined in question 3 being offered to staff identified in question 5? Please confirm the categories of, and numbers, of staff, if any, that have been offered a safe working environment.
7. Are any staff already working within areas, as outlined in question 3, and what is their current vaccine status. Are any of these staff being told they might be required to be "fully vaccinated"? Please confirm the categories of, and numbers, of staff, if any, in respect to both parts of this question.
8. As it appears that all non clinical staff are being asked to get vaccinated or leave with absolutely no compensation or redundancy package. Please could you confirm this is being extended to all staff from the chief executive down to the cleaners and the exact same package will be received by all.
9. Please provide a list of all remuneration packages and bonus schemes paid out over the past 4 years to all non clinical staff and any agreed packages that will not be affected if they leave rather than taking up a vaccine.
10. Please provide a list of roles within the trust and their remuneration for any position not required to be "fully vaccinated".
11. Please provide details of all redundancy packages, including Golden Handshakes awarded to all non clinical staff who have left in the past 4 years.
12. Please confirm the volume of Midazolam used within the trust, broken down into the amount per month since January 2017.

13. Please confirm the number of deaths at the trust, from all causes, broken down into the amount per month since January 2017.
14. Please confirm the number of deaths at the trust, from all causes, where Midazolam was administered within 7 days prior to death, broken down into the amount per month since January 2017.
15. Please confirm the number of deaths at the trust, directly attributed to Covid19, broken down into the amount per month since January 2020.
16. Please confirm the number of deaths at the trust, directly attributed to Covid19, where Midazolam was administered within 7 days prior to death, broken down into the amount per month since January 2020.
17. Please provide evidence to show all Covid19 Vaccines have an Absolute Risk or Response Difference (ARD) of greater than 2% Efficacy in prevention of death.
18. Please provide all ARD Efficacy Rates for all vaccines.
19. Please provide a list of all ingredients / components of all vaccines.
20. Please provide a list of all known side effects from all vaccines.
21. Please provide the number of reported incidences of side effects within your trust area and nationally broken down into months.
22. Please provide the number of diagnoses corresponding to the list of known side effects, whether caused by a vaccine or not, broken down into months from January 2018 both within your trust area and nationally and their vaccine status, and whether it has been reported on the Yellow Card System for reporting adverse reactions.
23. Please could you explain your recruitment process for any replacement staff. Will they be found and recruited from the general UK population, excluding any legal or illegal immigrants or asylum seekers who have entered the country in the past 2 years, and confirm that they will all be required to meet a minimum standard of written and spoken English equivalent to the national standard that would be achieved by a school leaver to obtain a pass mark in the subject as well as a proven track record or relevant skills within the area they are being employed, that the overall demographic of the staff will not change, and that all will be required to have a minimum of 2 vaccine shots prior to employment and before remuneration starts, and any incentive packages being offered including reduced cost of, or free, accommodation or support packages.
24. How confident does the Trust feel about enforcing unlawful legislation that goes against Public Health (Control of Disease) Act 1984: Section 45e, International Human Rights Laws, and the Nuremberg Code? And in light of the Criminal Investigation being conducted by the Metropolitan Police CID (Hammersmith), Case Number 6029679/21, into vaccine adverse reactions and deaths caused, do you not feel it would be better to postpone the mandatory vaccination until after the inevitable court case, or at least until the nationwide investigation is complete?
25. Will the Trust be financially liable for compensation claims, from staff, who have been (unlawfully) forcibly coerced into taking a drug that is still on trial and with no long-term studies into Efficacy or Safety (especially considering question 20), for life changing disabilities inflicted by the vaccine or even death, especially as the government seems to have (unlawfully) exempted itself and the pharmaceutical companies producing the vaccine from any financial obligations to compensate victims?
26. Are the Trust prepared for countless legal actions, on the grounds of the points raised in question 24 & 25, for Constructive Dismissal and how much has the trust set aside for damages, personal compensation, and legal fees for each of the points raised in question 24, 25, & 26?
27. Will the Trust continue to conduct Lateral Flow Tests, PCRs, and Lamp Tests, that not only don't appear to confirm an infection, infectiousness, or even the existence of Covid19?
28. Will the Trust continue to enforce Medical Apartheid to patients (and staff) that are not willing to submit to medical testing (as mentioned in question 27) that is against their Human Rights and in contradiction to the Nuremberg Code, or (unlawfully) enforced vaccinations before medical procedures (or working) which is against the Nuremberg Code (& 45e as mentioned in question 24)?

Response

1. Awaiting clarification from applicant.
2. NHS Scotland is not mandating vaccinations for any staff. All staff are encouraged to take up any vaccinations offered to them, regardless of their role however this is not mandatory.
3. Not applicable as vaccinations are not mandatory for NHS Scotland staff.
Staff are however encouraged to continue to work from home where possible as per Scottish Government Guidelines and individual risk assessments are undertaken and adjustments made.
4. NHS Borders does not record the vaccination status of staff, therefore this information is not held as defined in Section 17, Freedom of Information (Scotland) Act 2002.
5. Not applicable as vaccinations are not mandatory for NHS Scotland staff.
6. Not applicable as vaccinations are not mandatory for NHS Scotland staff.
7. NHS Borders does not record the vaccination status of staff, therefore this information is not held as defined in Section 17, Freedom of Information (Scotland) Act 2002.
8. This is not applicable as NHS Scotland is not mandating vaccinations for any staff.
9. This is not applicable as NHS Scotland is not mandating vaccinations for any staff.
10. This is not applicable as NHS Scotland is not mandating vaccinations for any staff.
11. No redundancy packages or Golden Handshakes have been paid to non-clinical staff at NHS Borders in the last 4 years.
12. NHS Borders do not hold data for the volume of Midazolam which has actually been used since January 2017 and therefore this information is not held as defined in Section 17, Freedom of Information (Scotland) Act 2002.

We can however provide the volume of Midazolam prescribed per month from 2017 to 2021, although this amount was prescribed it does not mean this amount was actually used:

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
2017	22	44	39	20	44	35
2018	37	22	50	40	33	33
2019	36	36	30	26	40	27
2020	42	44	55	50	64	42
2021	69	46	42	49	53	40

	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
2017	37	36	17	25	31	37
2018	34	25	25	39	35	26
2019	32	39	46	32	46	50
2020	66	41	31	41	51	47
2021	39	41	55	41		

13. Awaiting clarification from the applicant.
14. Awaiting clarification from the applicant.
15. Awaiting clarification from the applicant.
16. Awaiting clarification from the applicant.

17. This information is not held, as defined in Section 17, Freedom of Information (Scotland) Act 2002. Please note, under Section 25 of the Freedom of Information (Scotland) Act 2002 this data may be accessible from Public Health Scotland. For your information please find a link to their website below:
<https://publichealthscotland.scot/>
18. NHS Borders does not manufacture vaccinations and therefore this information is not held, as defined in Section 17, Freedom of Information (Scotland) Act 2002. Under Section 15 Duty to provide advice and assistance please note this information should be available from the manufacturer of the vaccination.
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21. NHS Borders does not manufacture vaccinations and therefore this information is not held, as defined in Section 17, Freedom of Information (Scotland) Act 2002. Under Section 15 Duty to provide advice and assistance please note this information should be available from the manufacturer of the vaccination.
22. Suspected adverse reactions (ADRs) are reported to the Medical and Healthcare products Regulatory Agency (MHRA) via the national Yellow Card scheme. The reporting site for COVID-19 Vaccines is accessed online at <https://coronavirus-yellowcard.mhra.gov.uk/> . The scheme relies on voluntary reporting of suspected side effects or medical device incidents by health professionals and the public, including patients, carers and parents. For details of what information should be provided when reporting a suspected ADR, please refer to <https://coronavirus-yellowcard.mhra.gov.uk/about> therefore please note under Section 25 of the Freedom of Information (Scotland) Act 2002 this data is accessible elsewhere.
23. NHS Borders will not be recruiting replacement staff as a result of the vaccination mandate as it does not apply in Scotland.
24. This question is invalid. The Freedom of information (Scotland) Act 2002, provides a right of access to the information we hold. It does not require the public authority to express opinions, make suppositions or draw conclusions. Please note however that NHS Scotland does not mandate vaccinations for staff members.
25. This question is invalid. The Freedom of information (Scotland) Act 2002, provides a right of access to the information we hold. It does not require the public authority to express opinions, make suppositions or draw conclusions.
26. As NHS Scotland do not have mandatory vaccines, this information is not held, as defined in Section 17, Freedom of Information (Scotland) Act 2002.
27. NHS Borders will continue to support COVID-19 testing regimes in line with Scottish Government directives.
28. This is not applicable as NHS Scotland are not mandating vaccinations for any staff.
29. NHS Borders has adopted NHS Scotland guidance in relation to staff testing for Covid-19. Staff are supported and encouraged to undertake regular testing to reduce the risk of transmission to patients and colleagues but this voluntary and not enforced.

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 **31-22** 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.