

Ref. No: 2667
Date: 02/07/26
Subject: Disciplinary action for inappropriate record access

REQUEST

- *"Staff" means all individuals with authorised access to the trust's electronic patient record system(s), including substantive staff, bank staff, agency and locum staff, and students/trainees on placement.*
- *"Inappropriately accessed patient records" means access to a patient's record without clinical, administrative, or other business reason, as determined through the trust's own investigation and/or disciplinary process (regardless of whether the access was also reported as a data breach).*

Can I please request the following information under the Freedom of Information act:

1. How many members of staff received a disciplinary sanction for inappropriately accessing patients' records, in each of the following financial years:

- a) 2022-23
- b) 2023-24
- c) 2024-25
- d) 2025-26
- e) 2026-27 to date

2. Please list the type of disciplinary sanction(s) - for example informal counselling, training, verbal warning, first written warning, final written warning, dismissal - handed out to staff for inappropriately accessing patients' records in each of the following financial years.

For each type of sanction, please also list the **number** of staff served with this type of sanction each year.

- a) 2022-23
- b) 2023-24
- c) 2024-25
- d) 2025-26
- e) 2026-27 to date

If this aggregate data is not held in a readily reportable format and would exceed the appropriate cost limit under section 12 of FOIA, I would be grateful if you could instead provide, for each year: (i) the total number of dismissals, and (ii) the total number of all other (non-dismissal) sanctions, as a reasonable proxy that should require substantially less staff time to compile.

3. How many staff were found, following investigation, to have inappropriately accessed patients' records but received no disciplinary sanction in each of the following financial years:

- a) 2022-23
- b) 2023-24
- c) 2024-25
- d) 2025-26
- e) 2026-27 to date

RESPONSE

Under section 12 of the Freedom of Information Act Mersey and West Lancashire Teaching Hospitals NHS Trust does not have to comply with a request if we estimate that the cost of complying with your request would exceed the appropriate limit of £450. The appropriate limit has been specified in regulations. This represents the estimated cost of one person spending 2½ working days in answering the remainder of your questions. Under section 12 of the Freedom of Information Act the Department is not obliged to comply with your request and we will not be processing your request further.

In line with our duty to provide advice and assistance we would advise you to submit a new request for information regarding the Trust as a whole. We would be able to supply this information within the appropriate limit.