

Date: 17/11/2017

## FREEDOM OF INFORMATION REQUEST 013732 – Sexual assault

I would like to request the following information under the Freedom of Information Act (2000)

- How many allegations of a) sexual assault and b) sexual harassment has your trust received against staff members in each of the past four years?
- In how many of the cases were any of the alleged victims aged 18 or under at the time of the alleged offence?
- In how many of the cases were any of the alleged victims current or former patients?
- For each case, did it lead to i) internal disciplinary proceedings, ii) external disciplinary proceedings (i.e. through a regulator) and/or iii) a financial settlement.
- For each case, please provide a broad description of the allegations involved, including the number of alleged victims / alleged perpetrators; their age (within a 10-year band); the date of the alleged offence and whether the alleged perpetrator occupied a managerial position.
- For each case, please list the gender of the alleged perpetrator and the alleged victim. Alternatively, provide totals for the genders of the alleged perpetrators and alleged victims across all of your cases.
- For each case which was dealt with by disciplinary proceedings, how many alleged offenders were i) fired; ii) suspended, iii) received written or verbal warnings.
- Please provide the value of any financial settlement in each case.
- Did any settlements (financial or otherwise) include clauses placing any restriction on the ability of the alleged victim to discuss the events involved or the institution? If so, how many?

It is the Trust's responsibility to create an environment and culture in which neither harassment nor inappropriate behaviour is tolerated and in which the dignity of individuals is safeguarded and respected.

The Trust has a Dignity at Work Policy and a Disciplinary Policy in place which makes it very clear that The Trust expects its employees to act professionally and in accordance with the Trust's values and standards of behaviour/professional codes of conduct. Conduct that is deemed unacceptable is managed under these policies. Incident reporting processes are in place to ensure that any incidents of allegation of harassment or inappropriate behaviour are investigated swiftly and robustly. Any concerns raised under the scope of the policies are treated seriously, sensitively, confidentially and objectively.

When responding to FOI requests we are not required to provide information held if it would contravene any provisions of the Data Protection Act. In this instance we feel that the release of information in response to this request would contravene the first data protection principle (a requirement to process data fairly and lawfully). Any individual reporting such a sensitive incident would expect the information to be kept confidential to the reporting and investigation process and not be released in the public domain, which could inadvertently cause them further harm or distress.

For the financial years 2013/14, and 2014/15 the information was not held centrally in an electronic database but was held within hardcopy individual personal files which are exempt under section 40 of the Act - Personal Information.

For financial years 2015/16 and 2016/17 due to the very low number of incidents reported over those two financial years, the Trust is applying section 40(2) data protection as we feel that the release of information in response to this request would contravene the first data protection principle (a requirement to process data fairly and lawfully)