

Information Governance

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25 January 2019

Reference no. 18190349

Dear

Request for Information: Freedom of Information Act

Thank you for your email of 27th December making a request for information under the Freedom of Information Act. You requested the following information and the Trust is able to provide the information below in response:

Request:

- How many cases of bullying and sexual harassment/ sexual offences have been reported to your NHS trust about NHS staff over a five-year period (2013,14, 2014-15, 2015-16, 2016-17, 2017-18)? Please break this down by year and say whether it was a case of bullying or sexual harassment/ offences.
- Please can you say the gender of the accuser and those being accused, as well as giving a description of the accuser and accused's job title and seniority level.
- How many people over a five-year period (2013,14, 2014-15, 2015-16, 2016-17, 2017-18) were dismissed or disciplined as a result of bullying and sexual harassment/ any sexual offences? Please break this down by year and offence, and say the job title of those affected, as well as their seniority level.
- How many non-disclosure agreements were issued in bullying/ harassment cases over a five-year period (2013,14, 2014-15, 2015-16, 2016-17, 2017-18)? Please break this down by year and provide any information about the nature of the complaint.

Please provide this information in cvs format and get in touch if you have any questions.

Response:

1 and 2. The Trust are not able to provide the gender of the accuser, all relate to dignity at work, bullying.

		2013	2014	2015	2016	2017	2018
Female	Clinical Staff	3	7	5	2	7	1
	Non-management or clinical	1	1	0	1	1	2
Male	Clinical Staff	2	1	0	0	1	1
	Non-management or clinical	0	2	0	1	1	2

3.

Outcome	Gender	
	Female	Male
Grievance/appeal – not upheld	4	1
Informal local/remedial action	8	3
NFA - No grounds to proceed after prelim enquiry	2	
NFA- Insufficient evidence for formal process		1
No further action	4	2
Ongoing		1
Partially Upheld	7	1
Resignation	1	
Upheld	1	
warning- final written	2	2
warning-1st written	2	
Outcome		

4. 0

In order to adhere to best practice in maintaining patient/staff confidentiality the Trust does not normally publish numbers lower than 5 as this could lead to the identity of the patients/staff being revealed. However, the Trust have summarised the information such that the exemption at Section 40(2) of the Freedom of Information Act is not applied absolutely.

To disclose the information as requested would be in breach of the Regulations and the Data Protection Act (2018). As this information is personal and confidential by virtue of section 40(2) of the Freedom of Information Act, the Trust could therefore refuse to respond to your request in accordance with section 17 of the Freedom of Information Act.

If you are concerned with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to me and I will ensure

the decision is reviewed. The Trust will consider undertaking a review if requested to do so within 40 working days of the date the response is received by the applicant, and will apply discretion if a longer period of time has passed.

Should you wish to make a complaint as a result of the outcome of such a review, you may apply directly to the Information Commissioner's Office (ICO) for a decision.

Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Trust for FoI Act matters.

The ICO can be contacted at:

The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Please contact me if there are any further queries.

Kind regards,

Yours sincerely,

Mark Underwood

Head of Information Governance