

Ref no: 090210219
From: Press
Date: 21/02/19
Subject: Allegations of sexual misconduct

REQUEST & RESPONSE

1. For each of the last five calendar years the number of allegations received:

2014	2015	2016	2017	2018
Sexual misconduct=0	Sexual misconduct=0	Sexual misconduct=0	Sexual misconduct=* *	Sexual misconduct=* *
Sexual harassment =0	Sexual harassment=0	Sexual harassment=* *	Sexual harassment=0	Sexual harassment=* *
Sexual assault=0	Sexual assault=0	Sexual assault=0	Sexual assault=0	Sexual assault=0
Rape=0	Rape=0	Rape=0	Rape=0	Rape=0

* = We are unable to provide the information you require as to release this data could lead to the identification of the person(s) involved due to the low numbers involved, and would breach the Trusts obligations under the Data Protection Act 1998. Accordingly, this aspect of your request is exempt from disclosure under the terms of Section 40(2) of the Act.

2. For each of the above allegations received, please state:

a) Whether the alleged victim was a member of the public, patient or health worker

Due to the low numbers we cannot provide this detail see full exemption below.

*Health worker incorporates all staff groups i.e. Admin & Clerical, Support workers

b) Whether the alleged perpetrator was a member of the public, patient or health worker

Due to the low numbers we cannot provide this detail see full exemption below.

c) Brief details of allegations

Due to the low numbers we cannot provide this detail see full exemption below.

d) Outcome of case i.e. for instance if the alleged perpetrator was a member of staff were they cautioned, disciplined or sacked

Due to the low numbers we cannot provide this detail see full exemption below.

e) Whether allegation was referred to police

Due to the low numbers we cannot provide this detail see full exemption below.

3. For each of the last five calendar years, 2014, 2015, 2016, 2017 and 2018, please state the number of allegations received where the alleged victim was under the age of 18 of:

- a) Sexual misconduct - **0**
- b) Sexual harassment - **0**
- c) Sexual assault - **0**
- d) Rape - **0**

4. For each of the above allegations received re alleged victims under 18, please state:

- a) Whether the alleged victim was a member of the public, patient or health worker – **N/A**
- b) Whether the alleged perpetrator was a member of the public, patient or health worker **N/A**
- c) Brief synopsis of allegations **N/A**
- d) Outcome of case i.e. for instance if the alleged perpetrator was a member of staff were they cautioned, disciplined or sacked **N/A**
- e) Whether allegation was referred to police **N/A**

5. Please state the number of non-disclosure agreements your organisation holds with current or former staff which involve or relate to sexual misconduct, sexual harassment, sexual assault, rape or other sexual offences. For each of these, please state the number and financial value of the settlements.

None - The Trust does not issue non-disclosure agreements.

Please provide any official definitions your organisation uses to classify allegations of a sexual nature and any official guidance/flowcharts for dealing with such cases.

Key Policies

Trust Policy – Dealing with Allegations of Abuse

Trust Policy – Dignity & Respect at Work

Please note, we have supplied all of the information you are entitled to under the Freedom of Information Act. We are unable to provide precise figures when these are five or less due to the risk that individuals will be identified, as we are required to protect their identity under the Data Protection Act. In such circumstances sections 40(2) and (3) of the Freedom of Information Act apply. In this case, our view is that disclosure would breach the first data protection principle. This states that personal data should be processed fairly and lawfully. It is the fairness aspect of this principle which, in our view, would be

breached by disclosure. In such circumstances section 40 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.