



Ref: FOIA Reference 2022/23-168

Date: 22nd July 2022

Email foi@uhnm.nhs.uk

Dear

I am writing to acknowledge receipt of your email dated 24th June 2022 requesting information under the Freedom of Information Act (2000) regarding sexual misconduct and assault in the healthcare sector.

The University Hospitals of North Midlands Trust is committed to the Freedom of Information Act 2000.

However, the NHS is facing unprecedented challenges relating to the coronavirus (COVID-19) pandemic at the current time. Understandably, our resources have been diverted to support our front-line colleagues who are working tremendously hard to provide care for our patients, and to those in need of our services.

We strive to be transparent and to work with an open culture. But at this time, whilst care of our patients and the safety of our staff takes precedent, it is likely that responses to some requests for information will be delayed. We apologise for this position in advance, and will endeavour to provide you with as much information as we can, as soon as we are able.

The Information Commissioners Office has recognised the current situation in the NHS.

As of 1st November 2014 University Hospitals of North Midlands NHS Trust (UHNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

Q1 I'm researching sexual misconduct and assault in the healthcare sector. Under the Freedom of Information Act, please could you provide me with the following information?

- The number of offences relating to sexual misconduct (including rape, assault, groping, and sexually inappropriate language) that have been reported to your trust in the past five years (up to and including June 2022)**

A breakdown of this data which details:

- The month and year an offence was reported**
- Who filed the report/complaint (i.e. patient, member of public, or staff member - please specify if they were aged over or under 18), what type of sexual misconduct report/complaint they filed, and who they filed the report/complaint**

against - i.e. Patient complaining against staff, staff complaining against staff, or staff complaining against patient?

A1 I can confirm that the Trust holds information regarding this request but feel this information is exempt under section 21: *information reasonably accessible by other means*. This is because the information is available via the Trust's public website at the following link:

<http://www.uhnm.nhs.uk/about-us/regulatory-information/freedom-of-information-publication-scheme/freedom-of-information-disclosure-log/>

FOI 618-2122 responds to this FOI with the exception of the year 2020 and 2022: see below

	2020	2022 (up to 30 th June)
Rape	0	0
Sexual assault	1 Patient complaint against staff: December	
Groping	2 staff complaints against a patient: August, December	1 staff complaint against a patient: January
Sexually inappropriate language	3 staff complaints against a patient: April x2, September	1 staff complaint against a patient: January
Misconduct	3 staff complaint against a patient: March, April, October, December	1 staff complaint against patient: March

Q2 The outcome of a reported offence - i.e. Was the alleged perpetrator disciplined? If so, how? And by whom? Was a payment made? Or, was the report/complaint dismissed?

A2 In 2020 the allegation of sexual assault made by a patient against a member of staff was investigated according to Trust Policy.

Q3 How many and which sexual misconduct reports/complaints were reported to the police?

A3 The allegation made in 2020 was reported to the Police.

Q4 The number of non-disclosure agreements your organisation holds with current or former staff which involve or relate to sexual misconduct (including rape, assault, groping, and sexually inappropriate language)?

A4 The Trust does not use non-disclosure agreements

*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

UHM NHS Trust is a public sector body and governed by EU law. FOI requestors should note that any new Trust requirements over the EU threshold will be subject to these regulations and will be advertised for open competition accordingly.

Where the Trust owns the copyright in information provided, you may re-use the information in line with the conditions set out in the Open Government Licence v3 which is available at

<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>. Where information was created by third parties, you should contact them directly for permission to re-use the information.

An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

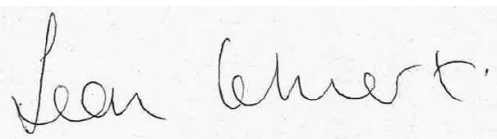
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via www.ico.org.uk.

If following review of the responses I can be of any further assistance please contact my secretary on 01782 671612.

Yours,



Jean Lehnert
Data, Security & Protection Manager