



Ref: FOIA Reference 2023/24-087

Date: 28th June 2023

Email foi@uhnm.nhs.uk

Dear

I am writing to acknowledge receipt of your email dated 15th May 2023 requesting information under the Freedom of Information Act (2000) regarding Sexual Assaults

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 am writing to you under the Freedom of Information Act 2000 to request the following information from your hospital Trust.

For each question, please can you provide data for the following years – 2020, 2021, 2022, 2023 to date?

How many sexual assaults were reported to the Trust?

a) Of these allegations, please advise whether they were:

- i) On Staff carried out by a staff Member**
- ii) On Staff carried out by a patient or visitor**
- iii) By Staff on a Patient**
- iv) By Staff on a visitor**
- v) On Staff carried out by a visitor**
- vi) On a patient carried out by a patient**

b) Of these alleged offences, how many were reported to the police?

c) If these alleged offences involved members of staff or contractors of the trust, please outline whether disciplinary proceedings took place and what was the outcome?

A1 I can confirm that the Trust holds information regarding part of 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/>

- i) FOI ref 034-2324 (April 2023) /497-223 (November 2022)/ 343-2223b (September 2022)
- ii) As above
- iii) As above
- iv) Information not held by the Trust
- v) This question is a reworded version of point ii) see the answer to point ii)
- vi) Information not held by the Trust
- b) We as an organisation would not report on behalf of the victim. In order for the CPS to make a charging decision they must have a victim to a crime who is willing to give a statement. If the staff member, as is the case in many incidents, does not wish to pursue the matter then no action can be taken.

c) We are unable to provide the information you require in the requested format 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 Data Protection Act 2018. Accordingly, this aspect of your request is exempt from disclosure under the terms of Section 40(2) of the FOI Act. *Personal information*. However as the Trust is committed to openness and transparency we can band the numbers as being <5 *This exemption is an absolute exemption and therefore no consideration of the public interest test is needed.*

Year	Staff members facing disciplinary action for sexual assault	Outcome(s)
2020	Less than 5	Sanctions for found allegations ranged between final written warning and summary dismissal
2021	Less than 5	
2022	Less than 5	
2023 to date	0	N/A

Q2 How many rapes were reported to the Trust?

- a) Of these allegations, please advise whether they were:
 - i) On Staff carried out by a staff Member
 - ii) On Staff carried out by a patient or visitor
 - iii) By Staff on a Patient
 - iv) By Staff on a visitor
 - v) On Staff carried out by a visitor
 - vi) On a patient carried out by a patient
- b) Of these alleged offences, how many were reported to the police?
- c) If these alleged offences involved members of staff or contractors of the Trust, please outline whether disciplinary proceedings took place and what was the outcome?

A2 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: FOI ref 034-2324- April 2023

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

b) As above for answer 1b

c)

Year	Staff members facing disciplinary action for rape	Outcome(s)
2020	0	N/A
2021	0	N/A
2022	0	N/A
2023 to date	0	N/A

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

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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.



University Hospitals
of North Midlands
NHS Trust

Yours,

Rachel Montinaro

Data Security and Protection Manager - Records