

Ref: FOIA Reference 2024/254b

**Data, Security and Protection**  
Newcastle Road  
Stoke-on-Trent  
Staffordshire  
ST4 6QG

Date: 27<sup>th</sup> August 2024

Email [foi@uhn.nhs.uk](mailto:foi@uhn.nhs.uk)

Dear Sir /Madam

I am writing in response to your Email on 31<sup>st</sup> July 2024 and the subsequent request for an internal review on your FOI request reference 254-2425 regarding information on employees accused of child sexual abuse.

You asked:

*'I understand the "less than five" absolute exception but in the context of this FOI, could you please reconsider the first request?*

*This FOI was filed to over 200 NHS Trusts in England to accumulate to the best estimate, the number of NHS employees who have faced child sexual abuse allegations in the last five years.*

*The information you might hold and, in this case, a number, is only a small part of a massive whole that when summed up, negates the argument of identification of these employees.*

*If you're aware of these incidents, could you please consider this before making a final decision? All subsequent requests marked 2 - 4 have been made redundant and I'm asking you to apply this to only the first request marked (1).'*

**Our response dated 31<sup>st</sup> July 2024**

**Q1 A list of the number of all employees accused or arrested on charges of child sexual abuse from January 1, 2019, until the day this request is fulfilled.**

**Please consider the timeframe listed in request (1) above for all subsequent requests below.**

A1 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.*

**Q2 A breakdown of the different crimes reported: rape, grooming, groping, lewd acts, anal or vaginal penetration, and other examples listed as crime by the Home Office.**

A2 As answer 1

**Q3 All disciplinary files or records of employees investigated for child sexual abuse. This request relates to employees whose names have already been released into the public domain and as such, Section 40 of the Act which exempts sensitive information on the identity of these employees cannot be applied to this request.**

A3 The Trust declines to share staff records – refer to A1

**Q4 An annual summary from 2019 of all legal costs, settlements, or restitution paid to affected families of these children.**

**Such public records should include, but not be limited to, all complaints; allegations; claims; investigatory reports; analyses; summaries; memoranda and/or notes; interview recordings; transcripts and/or notes; reviews; emails, text or other electronic messages, voicemails, and/or other communications and/or correspondence; determinations; decisions; orders; resignation letters; employment reclassification documents; offers in compromise and/or settlement agreements; termination and/or transfer papers; letters of reproof and/or other disciplinary actions, whether imposed or not; referrals to law enforcement, administrative, and/or licensing agencies, departments, and/or bodies; appeals; court filings and/or rulings; and all similar materials notwithstanding the use of other terminology, nomenclature, or categorization by this or other involved public agencies.**

A4 Nil £

**Please see our internal review response below:**

Q1. In accordance with the Freedom of Information Act (2000) our Data Security & Protection Manager – (Projects) and Head of Data, Security & Protection and Health Records Data Protection Officer conducted the internal review. They examined all the information in relation to this request and found that the section 40(2) was correctly applied, and therefore supported the Trusts decision to withhold this information based on the reasons given in the response sent to you on 31<sup>st</sup> July 2024.

Q2. Category A, B and C

Q3. The internal reviewers stated the following applies:

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) 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.*

*This exemption is an absolute exemption and therefore no consideration of the public interest test is needed.*

Q4 This is not applicable as no payments were made.

A copy of our original response has been added above for your reference.

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

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

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](http://www.ico.org.uk).

Yours,



Rachel Montinaro  
Data Security and Protection Manager - Records