



Ref: FOIA Reference 2021/22-615

Date: 14th March 2022

Email foi@uhnm.nhs.uk

Dear

I am writing to acknowledge receipt of your email dated 2nd March 2022 requesting information under the Freedom of Information Act (2000) regarding Sexual Assault.

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 (UHM) 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 Please provide the number of allegations reported within your Trust, clinical commissioning group or other care setting as defined, of:

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

A1 Refer to answer 3

Q2 Please advise the location of these offences and or alleged offences broken down by location Mental Health Unit, Hospital, Other Hospital Setting to be clearly defined.

A2 All incidents occurred within the Acute Hospital setting or within the patient home; see answer 4

Q3 Please provide this data for the last three years, 2019, 2020, 2021 and 2022 to date.

A3 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.

	2019	2020	2021	2022
Rape	0	0	0	0
Sexual Assault	7	<5	<5	<5
Sexual Harassment	<5	<5	6	<5
Sexual misconduct	<5	<5	<5	0

Q4 Please provide a month by month and location

A4 See below:

	2019	2020	2021	2022
January	Ward	0	Ward	Ward A&E
February	0	0	0	0
March	Ward	A&E	0	0
April	Ward	Retail Ward	Ward	NA
May	Ward Clinic Grounds	0	Patients home	NA
June	0	0	A&E Ward	NA
July	A&E	0	Theatres	NA
August	0	Ward	Theatres	NA
September	0	A&E	0	NA
October	Clinic	A&E	Ward	NA

	2019	2020	2021	2022
November	0	0	0	NA
December	A&E Ward	Ward	0	NA

- Q5 Please identify if these allegations are**
A On Staff carried out by a staff Member
B On Staff carried out by a patient or visitor
C By Staff on a Patient
D by Staff on a visitor
E On Staff carried out by a visitor

A5 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.

	2019	2020	2021	2022
A Staff on Staff	0	0	<5	0
B Patient/Visitor on staff	12	7	7	<5
C Staff on Patient	0	<5	0	0
D Staff on visitor	0	0	0	0
E Visitor on staff	Duplicate B	Duplicate B	Duplicate B	Duplicate B

- Q6 For each of these allegations please advise if a suspect was identified and or arrested**

A6 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. *Where the perpetrator was a patient or a member of staff their identity is known.*

	2019	2020	2021	2022
Identified	11	6	10	<5
Unidentified	<5	<5	0	<5
Arrests	<5	0	0	0

- Q7 If a suspect was identified and the suspect was identified as a member or staff or a contractor to the Trust, CCG or group.**

- What was the outcome?
- Was the suspect subsequently arrested, charged or convicted?
- Was the suspect subsequently investigated, suspended or dismissed from the Trust.

A7 We do not hold data on arrest, charging or conviction as this would be data held by the Police and / or Courts

The following is a table of action taken against staff where formal disciplinary matters were raised during the financial years, therefore we cannot guarantee that the actions recorded below relate directly to staff related cases reported elsewhere in this FOI.

Notes

- The actions listed below may not yet have been concluded
- Investigations may have found there was no case to answer
- The table relates to formal matters raised under the Trust's Disciplinary Policy. Minor misconduct matters may be dealt with locally by managers without using the formal disciplinary procedure. This may consist of guidance and or an Informal Recorded Discussion which would be recorded on the employee's personal file. Informal matters are not recorded centrally and are therefore excluded from this response

Allegation	19/20			20/21			21/22		
	Investigated	Suspended	Dismissed	Investigated	Suspended	Dismissed	Investigated	Suspended	Dismissed
Rape	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	<5	<5	0	0	0	0
Sexual Harassment	0	0	0	<5	0	0	<5	<5	<5
Sexual Misconduct	0	0	0	0	0	0	0	0	0

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.

Information not held for Contractors, we would refer to their employer for investigation

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

UHNM 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.

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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.

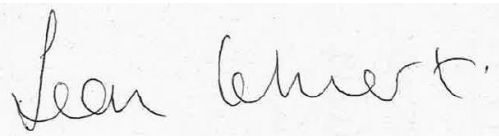
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and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

Yours,



Jean Lehnert
Data, Security & Protection Manager