

Freedom of Information Act 2000 disclosure log entry

Reference

22-23259

Date response sent

13/12/22

Subject

22-23259 Sexual Misconduct Records 2017/18 To 2021/22

Details of enquiry

1. For the financial years 2017/18 to 2021/22, how many complaints of sexual misconduct were made by patients, visitors and Trust employees against staff members in your NHS Trust.
The definition of sexual misconduct includes, but is not limited to, inappropriate comments; inappropriate touching, sexual harassment, sexual assault, indecent exposure, and rape.
2. How many of the complaints were upheld?
3. What was the outcome of the upheld complaints? Outcomes can include but are not limited to verbal warning, written warning, suspension, or dismissal
4. If it does not push the request over the cost limit, please can you also include:
 1. The nature of the allegation
 2. The gender of the complainant
 3. The gender of the staff member

I would like to receive the information electronically, preferably in the Excel Spreadsheet attached if at all possible

Response sent

Table 1

NHS Trust Name	Q1: Between Financial years 2017/18 to 2021/22, how many complaints of sexual misconduct were made by patients, visitors and Trust employees against staff members in your NHS Trust.	Q2: How many of the complaints were upheld?	Q3: What was the outcome of the upheld complaints? Outcomes can include but are not limited to verbal warning, written warning, suspension, or dismissal	The nature of the allegation	The gender of the complainant	The gender of the staff member
Tavistock and Portman NHS Foundation Trust	1	1	Dismissal	Sexual Misconduct	withheld	withheld

We have withheld the gender of both the complainant and complaine under s40(2) of the Freedom of Information Act 2000 (FOIA), as this data involves very low numbers which, when combined with other information which is/may become available within the public domain, could

lead of identification of the individuals concerned and cause distress to them, and/or their family, friends, particularly as the Tavistock and Portman NHS Foundation Trust is one of the smallest Trusts in the country.

Both patients and staff have a rightful expectation that details of their employment and their patient information are kept confidential. Section 40(2) of FOIA protects personal information about third parties, where complying with a request would contravene the UK General Protection Regulation or the Data Protection Act 2018. Section 40 is an absolute exemption which does not require the authority to carry out the public interest test.