

Freedom of Information Act 2000 disclosure log entry

Reference

20-21111

Date sent

05/11/2020

Subject

Equality Policies

Details of enquiry

Under the Freedom of Information Act 2000, please provide the following information:

1. For 1 April 2010 to 31 March 2020, information provided by financial year, your Public Sector Equality Duty (PSED) compliance policy and reports on how you have met this policy.
2. For 1 April 2010 to March 2020, information provided by financial year, provide a list of all LGBT organisations (e.g. Stonewall, Mermaids, Gendered Intelligence, GIRES, Action LGBT, Transhealth) you have:
 - a) consulted;
 - b) received training from/ helped formulate training for Trust staff – including classroom based and e-learning;
 - c) paid monies to for goods and services, advertised on your website or intranet, links or print outs of information;
 - d) granted permission to display/share/use Trust logo.
3. For 1 April 2020 to 31 March 2020, information provided by financial year, provide a list of all women's organisations (e.g. local or national domestic abuse or rape crisis charities, Women's Budget Group, Timewise, Pregnant then Screwed, Woman's Place UK, Fair Play for Women) you have:
 - e) consulted;
 - f) received training from/ helped formulate training for Trust staff – including classroom based and e-learning;
 - g) paid monies to for goods and services; advertised on your website or intranet, links or print outs of information;

- h) granted permission to display/share/use Trust logo.
4. The money spent annually, during this same period, on supporting and promoting LGBT groups and causes including:
 1. LGBT/rainbow merchandising, such as involvement in diversity champion schemes, lanyards, flags, posters and other materials;
 2. attending conferences and events and training for Trust staff - including classroom based and e-learning;
 3. subscriptions and donations to LGBT organisations such as Stonewall, Gendered Intelligence and Mermaids, GIRES, Action LGBT, Transhealth.
 5. The money spent annually, during this same period, on supporting and promoting women's groups and causes including:
 1. International women's day, domestic violence merchandising, such as involvement in champion schemes, lanyards, flags, posters and other materials; Please separately list schemes to tackle domestic violence from the overall spending.
 2. attending conferences and events and training for Trust staff - including classroom based and e-learning;
 3. subscriptions and donations to women's organisations such as local or national domestic abuse or rape crisis charities, Women's Budget Group, Timewise, Pregnant then Screwed, Woman's Place UK, Fair Play for Women.
 6. Can you forward all of your official policies, including your staff/patient equality policy, Women's policy, LGBT policy and Transgender policy, any patient treatment guidelines and patient literature/posters written in conjunction with the LGBT groups. Please detail the contribution each LGBT group made to each policy/guideline.
 7. Can you forward all of your official policies, including your staff/patient equality policy, Women's policy, LGBT policy and Transgender policy, any patient treatment guidelines and patient literature/posters written in conjunction with the women's groups. Please name and each women's group and detail the contribution each made to policy/guidelines.
 8. Did your Trust obtain legal advice to determine the legality of the Transgender policy, specifically in terms of the Equality Act (2010) and single-sex exemptions? If so, what law firm did you consult with and what were the associated costs?
 9. Which staff roles and other NHS organisations - include name of NHS organization, date and policy referred to - provided input to your transgender policy, who is the executive owner of the transgender policy and of the approved committee consultation comments, where were they taken from and reviewed by which role? Please name any internal networks, committees or groups consulted.

Response Sent

Your request for information has been handled under the Freedom of Information Act.

Please find below our response:

1. For 1 April 2010 to 31 March 2020, information provided by financial year, your Public Sector Equality Duty (PSED) compliance policy and reports on how you've met this policy.

This information is available in the public domain and can be found here:

<https://tavistockandportman.nhs.uk/about-us/who-we-are/equalities/>. We do not hold separate reports on how we have met the policy.

2. For 1 April 2010 to March 2020, information provided by financial year, provide a list of all LGBT organisations (e.g. Stonewall, Mermaids, Gendered Intelligence, GIRES, Action LGBT, Transhealth) you have:
 - i) consulted;
 - j) received training from/ helped formulate training for Trust staff – including classroom based and e-learning;
 - k) paid monies to for goods and services, advertised on your website or intranet, links or print outs of information;
 - l) granted permission to display/share/use Trust logo.

We can confirm that we hold the information held however are unable to provide it. We do not hold a list of all LGBT organisations that we have consulted, received training from/helped formulate training for staff, paid money to or granted permission to display/share/use Trust logo. The only way to locate the information requested would be to manually review each email held between us and LGBT organisations to identify what the email related to. We are therefore unable to provide the information requested within the time and cost limit set out in section 12 of the FOI Act. Section 12 of the FOI Act allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit to locate, extract, and/or retrieve the information requested. The appropriate limit for the Trust is 18 hours or £450 and the estimate must be reasonable in the circumstances of the case. Having undertaken a search of one organisation alone the Trust has sent or received 1,867 emails. We conservatively estimate that it would take 10 minutes to review each email to see whether it contained the information requested. We therefore estimate it would take 311 hours to locate the information requested for one organisation which would exceed the limit provided by the Act.

3. For 1 April 2010 to 31 March 2020, information provided by financial year, provide a list of all women's organisations (e.g. local or national domestic abuse or rape crisis charities, Women's Budget Group, Timewise, Pregnant then Screwed, Woman's Place UK, Fair Play for Women) you have:
 - a) consulted;
 - b) received training from/ helped formulate training for Trust staff – including classroom based and e-learning;

- c) paid monies to for goods and services; advertised on your website or intranet, links or print outs of information;
- d) granted permission to display/share/use Trust logo.

There are a wide range of organisations that exist in this area. We do not hold a list of women's organisations that we have consulted, received training from/helped formulate training for staff, paid money to or granted permission to display/share/use Trust logo. We have undertaken a broad search of the organisation's listed above and cannot find any emails for the above. If you are able to list other organisations that you wish us to search on, we may be able to assist further.

- 4. The money spent annually, during this same period, on supporting and promoting LGBT groups and causes including:
 - a) LGBT/rainbow merchandising, such as involvement in diversity champion schemes, lanyards, flags, posters and other materials;
 - b) attending conferences and events and training for Trust staff - including classroom based and e-learning;
 - c) subscriptions and donations to LGBT organisations such as Stonewall, Gendered Intelligence and Mermaids, GIRES, Action LGBT, Transhealth.

We can confirm that we hold the information held however are unable to provide it. Health inequality and staffing equality, diversity and inclusion expenditure occur across multiple budgets across the organisation. The only way to locate the information requested would be to manually review each budget statements of 81 cost centres for 120 months to identify whether they include the information requested. We are therefore unable to provide the information requested within the time and cost limit set out in section 12 of the FOI Act. Section 12 of the FOI Act allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit to locate, extract, and/or retrieve the information requested. The appropriate limit for the Trust is 18 hours or £450 and the estimate must be reasonable in the circumstances of the case. We conservatively estimate that it would take two minutes to review each budget to see whether it contained the information requested. We therefore estimate it would take 324 hours to locate the information requested which would exceed the limit provided by the Act.

- 5. The money spent annually, during this same period, on supporting and promoting women's groups and causes including:
 - a) International women's day, domestic violence merchandising, such as involvement in champion schemes, lanyards, flags, posters and other materials; Please separately list schemes to tackle domestic violence from the overall spending.
 - b) attending conferences and events and training for Trust staff - including classroom based and e-learning;
 - c) subscriptions and donations to women's organisations such as local or national domestic abuse or rape crisis charities, Women's Budget Group, Timewise, Pregnant then Screwed, Woman's Place UK, Fair Play for Women.

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6. Can you forward all of your official policies, including your staff/patient equality policy, Women's policy, LGBT policy and Transgender policy, any patient treatment guidelines and patient literature/posters written in conjunction with the LGBT groups. Please detail the contribution each LGBT group made to each policy/guideline.

All of the Trust's policies are published on the Trust website:

<https://tavistockandportman.nhs.uk/about-us/governance/policies-and-procedures/>.

We can confirm that we hold the information held however are unable to provide it. We do not hold a list of all staff/patient equality policy, Women's policy, LGBT policy and Transgender policy, any patient treatment guidelines and patient literature/posters written in conjunction with the LGBT groups. The only way to locate the information requested would be to manually review each email held between us and LGBT organisations to identify what the email related to. We are therefore unable to provide the information requested within the time and cost limit set out in section 12 of the FOI Act. Section 12 of the FOI Act allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit to locate, extract, and/or retrieve the information requested. The appropriate limit for the Trust is 18 hours or £450 and the estimate must be reasonable in the circumstances of the case. Having undertaken a search of one organisation alone the Trust has sent or received 1,867 emails. We conservatively estimate that it would take 10 minutes to review each email to see whether it contained the information requested. We therefore estimate it would take 311 hours to locate the information requested for one organisation which would exceed the limit provided by the Act.

Having consulted with the Director of Human Resources he has confirmed that since February 2016 there have been no consultation with LGBT groups on the Trust's policies.

7. Can you forward all of your official policies, including your staff/patient equality policy, Women's policy, LGBT policy and Transgender policy, any patient treatment guidelines and patient literature/posters written in conjunction with the women's groups. Please name and each women's group and detail the contribution each made to policy/guidelines.

All of the Trust's policies are published on the Trust website: <https://tavistockandportman.nhs.uk/about-us/governance/policies-and-procedures/>. There are a wide range of organisations that exist in this area. We do not hold a list of all staff/patient equality policy, Women's policy, LGBT policy and Transgender policy, any patient treatment guidelines and patient literature/posters written in conjunction with the women's groups.

8. Did your Trust obtain legal advice to determine the legality of the Transgender policy, specifically in terms of the Equality Act (2010) and single-sex exemptions? If so, what law firm did you consult with and what were the associated costs?

We do not hold this information. It might be helpful to explain that the FOI Act provides a right of access to recorded information held by public bodies. It does not provide a right of access to any information, views or opinions of a public body where they are not already recorded. Please clarify whether there are any particular documents, recorded data or recorded information that you would like to obtain and we will consider your request accordingly. To assist you in refining your request, you may find it helpful to read the [Information Commissioner's guidance](#) to the public about how to make information requests.

9. Which staff roles and other NHS organisations - include name of NHS organization, date and policy referred to - provided input to your transgender policy, who is the executive owner of the transgender policy and of the approved committee consultation comments, where were they taken from and reviewed by which role? Please name any internal networks, committees or groups consulted.

The Trust does not have a specific transgender policy. However, provisions surrounding those that transition gender are detailed in the organisation's Equality, Diversity and Inclusion Policy which can be found here: <https://tavistockandportman.nhs.uk/about-us/governance/policies-and-procedures/> details of the executive owner and approval bodies are contained on the policy document.