

FOI REF: 22/710

3rd January 2023

Tel: 0300 131 4500

Website: www.esht.nhs.uk

FREEDOM OF INFORMATION ACT

I am responding to your request for information under the Freedom of Information Act. The answers to your specific questions are as follows:

- Please can you detail the number of grievances & bullying and harassment complaints that have been raised in the last 5 years. It would be helpful if you could detail the information in the following table:**

Year	Number of Grievances Raised	Number of B&H complaints raised
1 st April 2018 – 31 st March 2019	31	17
1 st April 2019 – 31 st March 2020	22	14
1 st April 2020 – 31 st March 2021	66	35
1 st April 2021 – 31 st March 2022	48	25
1 st April 2022 – 31 st November 2022	26	14

- How many of the above cases remain unresolved as of 31st November 2022.**

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3. What number of employees, who have raised a grievance or B&H complaint since 1st April 2018, remained at the Trust, in their same role, one year after their complaint was concluded?

East Sussex Healthcare NHS Trust does not centrally record whether employees who have raised a grievance or B&H complaint have remained in their same role in the Trust. To enable the Trust to provide this information would require a manual review of individual employee service records, which we estimate would take approximately 55 hours. We are therefore applying Section 12(1) to this part of your request.

Section 12(1) of the Act allows a public authority to refuse to comply with a request for information if the authority estimates that the cost of compliance would exceed the 'appropriate limit', as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations). These state that this cost limit is £450 for public authorities which are not part of central government or the armed forces. The costs are calculated at £25 per hour per person regardless of the rate of pay, which means that the limit will be exceeded if the work involved would exceed 18 hours. The Trust estimates that the cost of complying with this request would significantly exceed the above limit.

4. What number of respondents* involved in grievance or B&H complaints since 1st April 2018, remained at the Trust, in their same role, one year after their complaint was concluded?

The Trust does not centrally record whether employees involved in a grievance or B&H complaint have remained in their same role in the Trust. To enable the Trust to provide this information would require a manual review of individual employee service records, which we estimate would take approximately 55 hours. We are therefore applying Section 12(1) to this part of your request.

Section 12(1) of the Act allows a public authority to refuse to comply with a request for information if the authority estimates that the cost of compliance would exceed the 'appropriate limit', as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations). These state that this cost limit is £450 for public authorities which are not part of central government or the armed forces. The costs are calculated at £25 per hour per person regardless of the rate of pay, which means that the limit will be exceeded if the work involved would exceed 18 hours. The Trust estimates that the cost of complying with this request would significantly exceed the above limit.

***respondent refers to the person who is the subject of the grievance or bullying and harassment complaint.**

If I can be of any further assistance, please do not hesitate to contact me.

Should you be dissatisfied with the Trust's response to your request, you have the right to request an internal review. Please write to the Freedom of Information Department (esh-tr.foi@nhs.net), quoting the above reference, within 40 working days. The Trust is not obliged to accept an internal review after this date.

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Should you still be dissatisfied with your FOI request, you have the right of complaint to the Information Commissioner at the following address:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Telephone: 0303 123 1113

Yours sincerely

Linda Thornhill (Mrs)
Corporate Governance Manager
esh-tr.foi@nhs.net