

FOI REF: 22/356

22nd July 2022

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:

- The number of offences relating to sexual misconduct (including rape, assault, groping, and sexually inappropriate language) that have been reported to your trust in the past five years (up to and including June 2022)**

A breakdown of this data which details:

- The month and year an offence was reported**

	2017	2018	2019	2020	2021	2022
January	1	0	0	1	1	0
February	1	2	0	0	1	1
March	1	2	3	1	0	0
April	0	0	1	0	1	1
May	0	0	0	0	0	0
June	1	1	0	2	0	1
July	2	4	0	0	1	-
August	1	0	1	1	1	-
September	0	0	0	2	0	-
October	3	0	1	1	3	-
November	0	1	1	0	1	-
December	0	1	1	0	1	-
TOTALS	10	11	8	8	10	3

- b. Who filed the report/complaint (i.e. patient, member of public, or staff member - please specify if they were aged over or under 18), what type of sexual misconduct report/complaint they filed, and who they filed the report/complaint against - i.e. Patient complaining against staff, staff complaining against staff, or staff complaining against patient?

The following tables shows allegations. All suspects and victims were over 18.

		2017	2018	2019	2020	2021	2022
A	On staff carried out by staff	2	2	1	4	3	1
B	On Staff carried out by a patient/visitor	7	9	7	4	7	1
C	By Staff on a Patient	1	0	0	0	0	1
D	By Staff on a visitor	0	0	0	0	0	0
E	On Staff by a visitor	0	0	0	0	0	0
TOTALS		10	11	8	8	10	3

	2017	2018	2019	2020	2021	2022
Incident of sexual touching	5	2	3	3	2	1
Incident of sexually harassment	4	2	0	0	0	0
Incident of sexually inappropriate behaviour	1	6	4	5	8	1
Indecent exposure	0	1	1	0	0	0
Incident of sexual assault	0	0	0	0	0	1
TOTALS	10	11	8	8	10	3

- c. The outcome of a reported offence - i.e. Was the alleged perpetrator disciplined? If so, how? And by whom? Was a payment made? Or, was the report/complaint dismissed?

In relation to staff conduct matters - outcome of staff-on-staff/staff -on-patients and/or visitors incidents						
	2017	2018	2019	2020	2021	2022
Rape allegation	0	0	0	0	0	0
Sexual assault	1	0	1	0	0	1
Outcome	Investigated and not found	Not applicable	Investigated and not found	Not applicable	Not applicable	Investigation ongoing
Sexual harassment	2	2	0	4	3	0
Outcome	Disciplinary action x 2	Disciplinary action x 2	Not applicable	Disciplinary action x 4	Disciplinary action x 3	Not applicable
Sexual misconduct	0	0	0	0	0	0
TOTALS	3	2	1	4	3	1

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d. How many and which sexual misconduct reports/complaints were reported to the police?

2017	For each of the 7 allegations of patient v staff, none were reported to the Police as the suspect was known and they were patients with capacity issues or complex needs. For the 2 incidents involving staff on staff, 1 allegation was reported to the police.
2018	For each of the 7 allegations of patient v staff, none were reported to the Police as the suspect was known and they were patients with capacity issues or complex needs. For the 2 incidents involving staff on staff, none were reported to the police.
2019	For the 7 of the allegations of incidents relating to patients/visitors on staff, a suspect was known as they were patients. 1 allegation was reported to police. For the 1 incident involving staff on staff, none were reported to the police
2020	4 of the allegations relating to patients/visitors on staff, a suspect was known as they were patients. Two allegations were reported to the police For the 4 incidents involving staff on, none were reported to the police
2021	For the 7 allegations which were patients/visitors on staff a suspect was known as they were patients. 2 allegations reported to police, outcome unknown. For the 3 incidents involving staff on staff, none were reported to the police
2022	Of the 2 allegations which were patients/visitors on staff, none were reported to police. For the 1 allegation carried out by staff 1 allegation was reported to the police

e. The number of non-disclosure agreements your organisation holds with current or former staff which involve or relate to sexual misconduct (including rape, assault, groping, and sexually inappropriate language)?

None.

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.

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
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