



FOI REF: 25/334

23rd May 2025

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:

- 1. Please provide the number of persons who work or have worked at your NHS Trust who have been the subject to complaints on the basis of allegations of (1) antisemitism (2) islamophobia (3) racism against Palestinians and/or Arabs since 7 October 2023.**

Section 17 Notice of Refusal – Sections 38(1) and 40(2) applied.

The information you have requested is exempt under section 38(1) of the Freedom of Information Act 2000. Information is exempt information if its disclosure under this Act would, or would be likely to:

- (a) endanger the physical or mental health of any individual, or
- (b) endanger the safety of any individual.

We have concluded that this information may allow the identification of individual staff members due to the small number and, disclosure could have a detrimental effect on an individual's staff mental health and wellbeing.

In this instance, we consider that the public interest in withholding the information is greater than the public interest in disclosing the information.

I can confirm that we hold this information, but it is exempt under section 40(2) of the Freedom of Information Act 2000 – Personal Information of third parties. This is because this information may allow the identification of individual staff members due to the small number and disclosure would breach the principles of the Data Protection Act.

This is an absolute exemption and there is, therefore, no requirement to consider the public interest.

Cont.../

2. For each of the above persons who works or has worked at your Trust, please confirm:

- (i) whether the complaint(s) is/are based on allegations of antisemitism or islamophobia and/or racism towards Palestinians and/or Arabs;
- (ii) the name of any organisation that submitted the complaint;
- (iii) whether the complaint arises from the person's actions at work and/or outside work;
- (iv) whether the complaint is being or has been dealt with under informal or formal disciplinary procedures;
- (v) the content of the complaint (deleting any personally identifiable information)
- (vi) the outcome of any disciplinary hearing;
- (vii) any sanction which has been applied against the person.

Sections 38(1) and 40(2) applied, please refer to page 1.

3. Please provide the definitions used by your NHS Trust for

(i) antisemitism

The Trust aligns with the UK Government and NHS England in adopting the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism:

"Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

(ii) Islamophobia

While the Trust does not have an internal, formal definition of Islamophobia, we reference the definition proposed by the All-Party Parliamentary Group (APPG) on British Muslims in our training and awareness-raising work:

"Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness."

(iii) racism towards Palestinians and/or Arabs.

The Trust does not currently hold or use a specific definition for racism toward Palestinians and/or Arabs. However, such forms of racism are covered under the Trust's commitment to the Equality Act 2010, which defines race as including colour, nationality, and ethnic or national origins. Any racist behaviour toward Palestinian or Arab individuals would therefore be addressed under the Trust's anti-racism stance and discriminatory conduct.

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

Freedom of Information Department
esh-tr.foi@nhs.net