

FOI REF: 25/347

27th May 2025

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:

I'm writing under the Freedom of Information Act 2000 to request information about reports of bullying and racism/racial discrimination amongst midwives working at your trust.

From 1 Jan 2020 up to and including 6 May 2025, can you please tell me the following:

- 1) How many reports of bullying have been made by midwives against other midwives (including student midwives on placement) at your trust? Please provide the outcomes of these.**

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

Section 38(1)

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 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.

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Section 40(2)

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.

- 2) How many reports of racism or racial discrimination have been made by midwives against other midwives (including student midwives on placement) at your trust? Please provide the outcomes of these.**

None.

- 3) Have there been any dismissals in light of bullying reports? If so, when were these? Please provide the year.**

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

- 4) Have there been any dismissals in light of racism or racial discrimination reports? If so, when were these? Please provide the year.**

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

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