

Freedom of Information Request

Ref: 24-375

10 June 2024

By Email

Dear Sir/Madam

Thank you for your request for information under the Freedom of Information Act 2000. The Trust's response is as follows:

- We can confirm that we do hold the information you are requesting

Please can I have the number of complaints made by both patients and staff for the following:

1. How many complaints of each of the following types of discrimination were reported to your organisation in 2021, 2022 and 2023:

a) Disability discrimination

Patient complaints:

2021: *

2022: *

2023: 0

Please note: Where the figures are between 1 and 5, this has been denoted by *. Due to the low numbers, we have considered that there is the potential for individuals to be identified from the information provided, when considered with other information that may also be in the public domain. In our view disclosure of these low figures would breach one of the Data Protection Principles set out in Schedule 1 of the Data Protection Act, namely Principle 1. The Trust therefore finds that the Section 40(2) exemption contained within the Freedom of information Act 2000 is engaged. This follows NHS Digital (formerly HSCIC) analysis guidance (2014) which states that small numbers within local authorities, wards, postcode districts, providers and Trusts may allow identification of patients and should not be published.

b) Race or ethnicity discrimination

Patient complaints:

2021: *

2022: *

2023: 0

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the information provided, when considered with other information that may also be in the public domain. In our view disclosure of these low figures would breach one of the Data Protection Principles set out in Schedule 1 of the Data Protection Act, namely Principle 1. The Trust therefore finds that the Section 40(2) exemption contained within the Freedom of information Act 2000 is engaged. This follows NHS Digital (formerly HSCIC) analysis guidance (2014) which states that small numbers within local authorities, wards, postcode districts, providers and Trusts may allow identification of patients and should not be published.

c) Sexual orientation discrimination

2021: *

2022: 0

2023: *

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2. How many complaints were reported to your organisation about discrimination related to a person's HIV status in:

a) 2021 0

b) 2022 *

c) 2023 0

Please note: Where the figures are between 1 and 5, this has been denoted by *. Due to the low numbers, we have considered that there is the potential for individuals to be identified from the information provided, when considered with other information that may also be in the public domain. In our view disclosure of these low figures would breach one of the Data Protection Principles set out in Schedule 1 of the Data Protection Act, namely Principle 1. The Trust therefore finds that the Section 40(2) exemption contained within the Freedom of information Act 2000 is engaged. This follows NHS Digital (formerly HSCIC) analysis guidance (2014) which states that small numbers within local authorities, wards, postcode districts, providers and Trusts may allow identification of patients and should not be published.

Please note there have been 35 incidents reported by staff for the period 2021 – 2023 under the categories of race or discrimination or disability. We have not provided the information in the requested format as we have considered that there is the potential for the individuals to be identified, when considered with other information that may be in the public domain. In our view disclosure of information would breach the Data Protection Act. Therefore please find that Section 40(2) exemption contained within the Freedom of Information Act 2000 is engaged. Section 40 is the exemption for personal information.

3. If HIV-related discrimination complaints were reported to your organisation, how many of the following incidents were reported?

(a) Refusal of a service after HIV status was shared.

*

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(b) Failure to make reasonable adjustments for a person's HIV status.

0

(c) Harassment related to a person's HIV status.

0

(d) Use of an organisational policy that discriminated against a person based on their HIV status.

0

(e) Another kind of HIV discrimination incident.

0

4. If HIV-related discrimination complaints were reported to your organisation, were they reported by?

(a) Members of the public.

*

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(b) Employees of your organisation

0

5. If HIV-related discrimination complaints were reported to your organisation, how many complaints were upheld?

*

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6. Does your organisation have a policy to deal with incidents of HIV discrimination reported to them at a strategic level? If so, could you explain what the policy is or attach a copy of said policy?

No

This concludes our response. We trust that you find this helpful, but please do not hesitate to contact us directly if we can be of any further assistance.

If, after that, you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Data Protection Officer
University Hospitals Bristol and Weston NHS Foundation Trust
Trust Headquarters
Marlborough Street
Bristol
BS1 3NU

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Publication

Please note that this letter and the information included/attached will be published on our website as part of the Trust's Freedom of Information Publication Log. This is because information disclosed in accordance with the Freedom of Information Act is disclosed to the public, not just to the individual making the request. We will remove any personal information

(such as your name, email and so on) from any information we make public to protect your personal information.

To view the Freedom of Information Act in full please click [here](#).

Yours sincerely

Freedom of Information Team
University Hospitals Bristol and Weston NHS Foundation Trust