

Freedom of Information Request

Ref: 24-620

1 October 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 hold some of the information you are requesting

Under the Freedom of Information Act 2000, please provide me with the following information about sexual safety incidents that have taken place at your trust, including but not limited to sexual harassment, sexual abuse, sexual assault and rape. (See after the question for clarification on these definitions.)

In order to assist you, I understand that some, if not all of this information should be recorded in the trust's safety incident reporting system, or it may be recorded by your HR team.

Total sexual safety incidents

1. How many sexual safety incidents did the trust record? (This includes incidents by all alleged perpetrators against all alleged victims: staff, patients, visitors, members of the public)

1.1 in 2022/23 financial year - 25

1.2 in 2023/24 financial year - 26

Sexual safety incidents by staff against patients

2. How many sexual safety incidents allegedly perpetrated by staff against patients did the trust record?

2.1 in 2022/23 financial year - *

2.2 in 2023/24 financial year - *

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local authorities, wards, postcode districts, providers and Trusts may allow identification of patients and should not be published.

Sexual violence and misconduct by patients against other patients

3. How many sexual safety incidents allegedly perpetrated by patients against other patients did the trust record?

3.1 in 2022/23 financial year

3.2 in 2023/24 financial year

Our reporting system does not have a category for 'patients against other patients'. Please note, the Trust does not hold the data in a format that would enable us to fully respond to your request to the level of detail required and a manual trawl for this information would significantly exceed the 18 hours limit set down by the FOI as the reasonable limit. Section 12 of the FOIA provides that we are not obliged to spend in excess of 18 hours in any sixty-day period locating, retrieving and identifying information in order to deal with a request for information and therefore we are withholding this information at this time.

Sexual safety incidents by patients against staff

4. How many sexual safety incidents allegedly perpetrated by patients against staff did the trust record?

4.1 in 2022/23 financial year: 28

4.2 in 2023/24 financial year: 37

Sexual safety incidents by staff against other staff

5 How many sexual safety incidents allegedly perpetrated by staff against other staff did the trust record?

5.1 in 2022/23 financial year: 6

5.2 in 2023/24 financial year: *

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.

Age of alleged victims

6. How many of the sexual safety incidents did the trust record where the victim was a patient:

6.1 Under 18 (this includes under 16 and under 13)

6.2 Under 16 (this includes under 13)

6.3 Under 13

0

Please note that the Trust's incident reporting system does not have a category heading for abuse/assault of a sexual nature. The figures above are incidents where sexual assault is mentioned in the narrative of the incident report.)

Please provide figures for the 2022/23 and 2023/24 financial years.

7. How many incidents of physical violence perpetrated by patients against staff did the trust record?

7.1 in 2022/23 financial year - 402

7.2 in 2023/24 financial year - 493

Terminology:

Sexual safety incidents include any behaviour of a sexual nature that is unwanted, or makes another person feel uncomfortable or afraid. This covers:

- **sexual assault:** when a person is coerced or physically forced to engage in sexual activity against their will, or when a person (of any gender) touches another person sexually without their consent.
- **sexual harassment:** any behaviour that is characterised by inappropriate sexual remarks, gestures or physical advances which are unwanted and make a person feel uncomfortable, intimidated or degrade their dignity.
- **Other sexual incidents:** where an individual may have witnessed or experienced something of a sexual nature that does not fit in to the categories of sexual harassment or assault, and which made the person feel uncomfortable and/or sexually unsafe.

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**