

Ref: FOIA Reference 2023/24-068

Date: ** ***** 2023

Email foi@uhn.nhs.uk

Comment [c1]: Add at final draft

Dear

I am writing to acknowledge receipt of your email dated 2nd May 2023 requesting information under the Freedom of Information Act (2000) regarding Patient-on-staff sexual harassment.

On the same day we contacted you via email as the FOI Act clearly states that if we suspect that the request has come from a Pseudonym we are entitled to request proof of the person's identity, as provision of a Pseudonym invalidates a request, therefore please can you provide a photo copy of your driver's licence or other official document that validates your identity.

On 3rd September 2021 we contacted you via email as you had used two entirely different names on FOI reference 300- 2122, whilst you provided proof of Identity for 'one' of your names, you omitted to provide for [REDACTED]

Section 8 – "Real name" checks

Can you please confirm that you are only submitting this request for your personal use or that of an unstructured group and not on behalf of a company/corporate body?

If you are making the request on behalf of a company/corporate body as an employee, then you should declare the real company name and this will enable us to consider the validity of the request.

This approach is in compliance with the Information Commissioner guidance "Recognising a request made under the Freedom of Information Act (section 8) Version 1.2". Your attention is drawn to paragraphs 14, 15, 16, 20, 21 22 and 35 of this guidance. <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/receiving-a-request/> and *what makes a valid request?*

On 3rd May 2023 you replied via email with:

'Yes this is a pseudonymous account. Please process the request under my real name, [REDACTED]. Passport attached'

We responded with:

Thank you for your honesty , UHNM is happy to work with you in order to answer FOI's however under the FOI Act we are not required to answer requests that have a Pseudonym, therefore we will answer this request under [REDACTED], but in future we will decline any requests made under your pseudonymous account

As of 1st November 2014 University Hospitals of North Midlands NHS Trust (UHNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

Q1 Please tell me how many times your Trust has logged an incident of alleged sexual harassment from patients towards staff in 2022.

A1 Total from Jan 2022 to Dec 2022 = 9

Q2 For the five most recent cases, please tell me

- a) the job title of the member of staff against whom the behaviour was levelled
- b) a brief summary of the content of the complaint (patient said "you can warm your hands up on me" during a physical examination, patient wolf-whistled at nurse, etc.)
- c) the action taken by the Trust.

A2 See below:

- a) Information not held as requested
- b) The 5 most recent incidents recorded involve inappropriate sexual behaviours towards staff; some involved sexual advances other involved sexually inappropriate language.
- c) Actions taken include discharging the person from site, verbal cautions by staff and security, behavioural charts completed, Datix's completed.

*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

UHNM NHS Trust is a public sector body and governed by EU law. FOI requestors should note that any new Trust requirements over the EU threshold will be subject to these regulations and will be advertised for open competition accordingly.

Where the Trust owns the copyright in information provided, you may re-use the information in line with the conditions set out in the Open Government Licence v3 which is available at <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>. Where information was created by third parties, you should contact them directly for permission to re-use the information.

An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via www.ico.org.uk.

If following review of the responses I can be of any further assistance please contact my secretary on 01782 671612.

Yours,



Rachel Montinaro
Data Security and Protection Manager - Records