



Ref: FOIA Reference 2023/24-249

Date: 20th July 2023

Email foi@uhnm.nhs.uk

Dear

I am writing to acknowledge receipt of your email dated 18th July 2023 sent to our CEO requesting information under the Freedom of Information Act (2000) regarding ethnicity.

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 Subject: Inquiry into sexual misconduct complaints and enquiries in your Trust and outcomes between 2017 to 2022

I am writing to request information under the Freedom of Information Act 2000 to request the following information from your Trust.

In the recent BBC health news, published on 23rd May 2023, suggesting that more than 35,000 incidents of sexual misconduct and sexual violence were recorded on NHS premises between 2017 to 2023. According to the news report, the data was collected by the British Medical Journal (BMJ) and the Guardian newspaper from 212 Trusts in England and share with BBC file on 4.

<https://www.bbc.co.uk/news/health-65671018>

This report does not give any specific information about the ethnicity of the perpetrators and those of the victims in the above-mentioned cases.

I seek information regarding the ethnicity or national identity of the perpetrators and the victims in cases of sexual misconduct and violence in your Trust.

A1 I can confirm that the Trust holds information regarding this request, but feel this information is exempt under section 21: *information reasonably accessible by other means*. This is because the information is available via the Trust's public website at the following link:

<http://www.uhnm.nhs.uk/about-us/regulatory-information/freedom-of-information-publication-scheme/freedom-of-information-disclosure-log/>

FOI references:

168-2223

343-2223
247-2223
497-2223
087-2324

We are unable to provide the information you require (ethnicity or national identity) as to release this data could lead to the identification of the person(s) involved due to the low numbers involved, and would breach the Trusts obligations under Data Protection Act 2018. Accordingly, this aspect of your request is exempt from disclosure under the terms of Section 40(2) of the FOI Act. *Personal information.*

This exemption is an absolute exemption and therefore no consideration of the public interest test is needed.

*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