

Date: Friday, 22nd July 2022
Our Ref: MB/SH FOI 5239

Sid Watkins Building
Lower Lane
Fazakerley
Liverpool L9 7BB
Tel: 01515253611
Fax: 01515295500
Direct Line: 01515563038

Re: Freedom of Information Request FOI 5239

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 27th June 2022.

Your request was as follows:

1. The number of offences relating to sexual misconduct (including rape, assault, groping, and sexually inappropriate language) that have been reported to your trust in the past five years (up to and including June 2022)

• A breakdown of this data which details:

o The month and year an offence was reported

o Who filed the report/complaint (i.e. patient, member of public, or staff member - please specify if they were aged over or under 18), what type of sexual misconduct report/complaint they filed, and who they filed the report/complaint against - i.e. Patient complaining against staff, staff complaining against staff, or staff complaining against patient?

o The outcome of a reported offence - i.e. Was the alleged perpetrator disciplined? If so, how? And by whom? Was a payment made? Or, was the report/complaint dismissed?

o How many and which sexual misconduct reports/complaints were reported to the police?

[Please see attached.](#)

[We have only been able to provide the total figures for each year due to the risk of identifying third party data through a monthly breakdown as per section 40 of the FOI Act as below.](#)

[Section 40 \(2\) - Third Party Data](#)

[This information is exempt from disclosure under Section 40\(2\) of the Freedom of Information Act 2000 \(FOIA\), due to the minimal number of patients/staff identified as data requested is relating to 1-5 patients/staff members. In answering your query may lead to the undue stress of families and patients/staff as this information may still lead to patients/staff being identified. Therefore this information has not been released for reasons of confidentiality.](#)

[This exemption is not subject to the public interest test. This response therefore acts as a refusal notice under section 17 of the FOIA.](#)

2. The number of non-disclosure agreements your organisation holds with current or former staff which involve or relate to sexual misconduct (including rape, assault, groping, and sexually inappropriate language)?

I can confirm that the Walton Centre NHS Foundation Trust has no non-disclosure agreements in place.

Please see our response above in [blue](#).

Re-Use of Public Sector Information

All information supplied by the Trust in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No. 1515 which came into effect on 1st July 2005.

Under the terms of the Regulations, the Trust will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however the Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Further information can be found at www.opsi.gov.uk where a sample license terms and fees can be found with guidance on copyright and publishing notes and a Guide to Best Practice and regulated advice and case studies, at www.opsi.gov.uk/advice/psi-regulations/index.htm

If 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 the Freedom of Information Office at the address above.

Please remember to quote the reference number, FOI 5239 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 Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Mike Burns

Mr. Mike Burns, Executive Lead for Freedom of Information