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Request for Information Reference: 10.23.70

FOI Direct line: 01325 743700
Email: cdda-tr.cddftfoi@nhs.net

Email only

7th November 2023

Dear

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 23rd October 2023 in relation to County Durham and Darlington NHS Foundation Trust (the Trust). Your request has been processed under the provisions of the Freedom of Information Act 2000 and I am now able to provide you with a response.

Your request was in relation to Sexual Assaults and I am providing the following information in response to your specific questions:

FOI REQUEST:

Please could I request the following information Under the Freedom of Information Act?

- **The amount of money ordered to be paid by an Employment Tribunal to victims of sexual assault at your NHS trust for each of the last three financial years?**

Zero.

- **The number of people sexually assaulted at your NHS trust for each of the last three financial years?**

Explanatory Note:

The Trust uses an incident reporting system whereby all incidents of a sexual nature are recorded as incidents, no matter the clinical condition of the instigator, using a general sexual assault heading. The majority of the sexual assault incidents listed below have been conducted by patients who do not

know what they had done was wrong due to a medical illness and / or confused state of mind and therefore lack capacity in some form often through living with dementia, having delirium, living with a severe learning disability, suffering from mental health issues or other general incapacity issues.

All incidents are investigated accordingly no matter the mental capacity of the instigator with outcomes being determined when all relevant information has been reviewed.

In addition where the police have detained / arrested an individual the Trust is not formally made aware of the outcome as this information will be solely supplied to the named victim/s.

For the purposes of this response 'sexual assault' is deemed as when someone touches another person in a sexual manner without their consent or someone makes an unwarranted comment towards another in a sexual manner. Sexual assaults can also include when individuals self-gratify or conduct other lewd acts in the view of staff.

Period	No of Incidents
2020/21	16
2021/22	12
2022/23	12
2023/24 (End Oct 23)	15

In line with the Information Commissioner's directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log on the Trust's website. However please be assured that we anonymise all responses prior to adding them to the disclosure log.

I hope that this response has provided you with the information you had requested. If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me by telephone or in writing. If however, you are dissatisfied with the way in which your request has been handled and would like an internal review, you will need to contact me in writing at the above address or via cdda-tr.cddftfoi@nhs.

If you remain dissatisfied with our response following an internal review you have the right to appeal to The Information Commissioner at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. More information is available on their website; www.ico.gov.uk.

Yours sincerely

Corporate Records and Freedom of Information Facilitator