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Foundation Trust Office: 01325 74 3625  
Corporate Records Office: 01325 74 3700

Request for Information Reference: 02.24.15

FOI Direct line: 01325 743700  
Email: [cdda-tr.cddftfoi@nhs.net](mailto:cdda-tr.cddftfoi@nhs.net)

Email only

16<sup>th</sup> February 2024

Dear

### **Freedom of Information Act 2000 – Request for Information**

Thank you for submitting a request for information which we received on 7<sup>th</sup> February 2024 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 Assaults and I am providing the following information in response to your specific questions:

**Can I please ask the following as a further request: Under the FOI Act, can I please request the number of times staff employed by the trust were a) physically assaulted and b) sexually assaulted in each of the last three years?**

The Trust uses an incident reporting system whereby all incidents are recorded as incidents no matter the clinical condition of the instigator using general assault headings of physical assault, sexual assault and racial assault.

For the purposes of this response we have used the Crown Prosecution Service (CPS) definition of assault as: ‘... any act (and not mere omission to act) by which a person intentionally or recklessly causes another to suffer or apprehend immediate unlawful violence.’

The majority of the 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. For example, this can be a result of living with dementia, having delirium, living with a severe learning disability, suffer from

mental health issues or other general incapacity issues. We are therefore unable to determine whether the use of force was intentional in such cases.

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

**1. Can I please ask the following as a further request: Under the FOI Act, can I please request the number of times staff employed by the trust were**

- a) Physically assaulted and**
- b) Sexually assaulted in each of the last three years?**

	<b>2021</b>	<b>2022</b>	<b>2023</b>
Physical Assault	269	319	283
Sexual Assault	20	16	21

\*For the purposes of incident reporting only one physical assault category is available for staff whether intentional use of force or otherwise.

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](mailto: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](http://www.ico.gov.uk).

Yours sincerely

**Corporate Records and Freedom of Information Facilitator**