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Request for Information Reference: 01.24.108

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

Email only

26<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 31<sup>st</sup> January 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 Sexual Assaults and Harassments and I am providing the following information in response to your specific questions:

**The number of a) sexual assaults, b) rapes and c) sexual harassment/abuse offences reported at your trust, for the calendar years 2021, 2022 and 2023.  
Please list:**

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 incidents listed below were conducted by patients who did not know what they had done was wrong due to a medical illness and / or confused state of mind and therefore lacked capacity in some form. Reasons for this could include: 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, a 'sexual assault' is deemed to occur 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 harassment has been deemed as sexually explicit verbal communication and includes when individuals self-gratify themselves or conduct other lewd acts in the view of staff. One incident may have been viewed by numerous staff but all staff are deemed as victims within the data provided.

**1. The number of a) sexual assaults, b) rapes (including gang rapes - please specify) and c) sexual harassment/abuse offences reported per year**

	2021	2022	2023
<b>Sexual Assault</b>	8	8	11
<b>Rapes</b>	0	0	0
<b>Sexual Harassment</b>	12	8	10

of those, please specify:

**a) how many were reported to the police**

	2021	2022	2023
<b>Police Reported</b>	0	2	0

\*Reporting to the police is at the victim's discretion, although the Trust will support any member of staff who chooses to do so. The Trust has no ability to determine whether incidents have been reported to the police unless highlighted on the incident recording form. We have sought data from the police but their data is collected by postcode and we are therefore unable to determine the number of cases reported occurring in our hospitals.

**b) how many had staff listed as a suspect, and how many had staff listed as a victim**

	2021	2022	2023
<b>Staff Victim</b>	20	16	21
<b>Staff Suspect</b>	0	0	0

**c) how many had a patient(s) listed as a suspect, and how many had a patient(s) listed as a victim**

	2021	2022	2023
<b>Patient Victim</b>	0	0	0
<b>Patient Suspect</b>	20	16	21

**d) please also specify report outcomes, i.e. how many resulted in police action, without any identifiers**

Please note that the term 'patient deceased' is not actually an outcome of the incident investigation. It simply denotes that the patient subsequently died in our care.

**2021**

Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Patient advised of conduct  
Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Patient advised of conduct  
Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Patient advised of conduct  
Patient advised of conduct  
Patient advised of conduct  
Patient advised of conduct  
Warning letter issued  
Adapted care plan / staff assisted

**2022**

Patient advised of conduct  
Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Patient deceased  
Patient advised of conduct  
Multi-disciplinary meeting held to consider patient conduct / Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Patient deceased  
Patient alert  
Adapted care plan / staff assisted  
Patient deceased  
Warning letter issued  
Warning letter issued  
Patient advised of conduct  
Adapted care plan / staff assisted  
Patient alert

**2023**

Adapted care plan / staff assisted  
Patient advised of conduct  
Warning letter issued  
Warning letter issued  
Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Adapted care plan / staff assisted  
Alert on system / Patient advised of conduct  
Warning letter issued  
Adapted care plan / staff assisted

**2. Please also provide a copy of your sexual safety policy.**

Please find enclosed the Violence Reductions and Prevention Policy and Strategy.

In addition, the Trust is a signatory to NHS England's Sexual Safety Charter, the details of which can be found using the link below:

[NHS England » Sexual safety in healthcare – organisational charter](#)

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**