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Request for Information Reference: 06.22.51

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Email only

14th July 2022

Dear

Freedom of Information Act 2000 – Request for Information

Thank you for submitting a request for information which we received on 27th June 2022 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 misconduct and I am providing the following information in response to your specific questions:

- 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)**

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- 2. A breakdown of this data which details:**

- a) The month and year an offence was reported**
- b) 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?**
- c) 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?**
- d) How many and which sexual misconduct reports/complaints were reported to the police?**

Please see the table below:

Date	Offence	Victim	Instigator	Outcome
Feb-17	Inappropriate comments	Staff (over 18)	Patient (over 18)	Incident investigated and adapted care plan implemented
Feb-17	Sexual assault / lewd comments x 2	Staff (over 18)	Patient (over 18)	Police attended/ staff declined further action
Jun-17	Attempted sexual assault	Staff (over 18)	Patient (over 18)	Police investigated / staff supported / care plan adapted / root cause analysis conducted.
Jun-17	Inappropriate comments	Staff (over 18)	Patient (over 18)	Offender had lack of capacity, staff supported & care package adapted
Jul-17	Touched inappropriately	Staff (over 18)	Patient (over 18)	Offender had lack of capacity, staff supported & care package adapted
Jul-17	Touched inappropriately	Staff (over 18)	Patient (over 18)	No action taken at request of victim
Sep-17	Touched inappropriately	Staff (over 18)	Patient (over 18)	Offender had lack of capacity, staff supported & care package adapted
Oct-17	Touched inappropriately	Staff (over 18)	Patient (over 18)	No action taken at request of victim
Nov-17	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Dec-17	Inappropriate comments and trying to touch	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Dec-17	Grabbed and inappropriate comments	Staff (over 18)	Patient (over 18)	Improved communications between staff
Dec-17	Inappropriate comments	Staff (over 18)	Patient (over 18)	Unknown
Jan-18	Inappropriate comments	Staff (over 18)	Patient (over 18)	Unknown
Jan-18	Inappropriate comments	Patient (over 18)	Patient (over 18)	Offender had lack of capacity, patient supported & care package adapted
Feb-18	Inappropriate comments	Staff (over 18)	Patient (over 18)	Unknown
Feb-18	Self-gratification	Staff (over 18)	Patient (over 18)	Adapted care package implemented / patient advised about conduct
Feb-18	Touched inappropriately	Staff (over 18)	Patient (over 18)	Incident investigated and adapted care plan implemented
Feb-18	Touched inappropriately	Staff (over 18)	Patient (over 18)	Cautioned by police
Mar-18	Inappropriate comments	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Mar-18	Inappropriate comments	Staff (over 18)	Patient (over 18)	formal warning / adapted care plan
Mar-18	Inappropriate comments	Staff (over 18)	Patient (over 18)	police assistance / alert
Aug-18	Inappropriate comments	Staff (over 18)	Patient (over 18)	Verbal warning issued to patient
Aug-18	Touched inappropriately	Staff (over 18)	Patient (over 18)	adapted care plan and warned
Aug-18	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Oct-18	Self-gratification and attempted groping	Staff (over 18)	Patient (over 18)	No action taken at request of victim
Nov-18	Self-gratification and lurid comments	Staff (over 18)	Patient (over 18)	Unknown
Dec-18	Inappropriate comments	Staff (over 18)	Patient (over 18)	Offender had lack of capacity, staff supported & care package adapted
Dec-18	Touched inappropriately	Staff (over 18)	Patient (over 18)	No action taken
Dec-18	Inappropriate comments and trying to touch	Staff (over 18)	Patient (over 18)	No action taken

Feb-19	Inappropriate comments	Staff (over 18)	Patient (over 18)	Unknown
Jun-19	Potential staff rape on patient	Patient (over 18)	Staff (over 18)	Police investigated / no charges / previous history of reporting
Jun-19	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Jul-19	Inappropriate comments	Staff (over 18)	Patient (over 18)	Offender had lack of capacity, staff supported & care package adapted
Aug-19	Touched inappropriately	Staff (over 18)	Patient (over 18)	Patient apologised for behaviour
Aug-19	Attempted to touch inappropriately	Staff (over 18)	Patient (over 18)	Warning letter issued and adapted care plan implemented
Oct-19	Patient on Patient	Patient (over 18)	Patient (over 18)	Police investigated - unknown outcome
Nov-19	Grabbed and inappropriate comments	Staff (over 18)	Patient (over 18)	Unknown
Dec-19	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Feb-20	Inappropriate comments	Staff (over 18)	Staff (over 18)	HR investigated - unknown outcome
Feb-20	Inappropriate behaviour	Staff (over 18)	Patient (over 18)	Offender had lack of capacity, staff supported & care package adapted
Apr-20	Inappropriate comments	Staff (over 18)	Patient (over 18)	Police investigated - unknown outcome
Jul-20	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Jul-20	Grabbed and inappropriate comments	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Jul-20	Inappropriate comments	Staff (over 18)	Patient (over 18)	Patient apologised for behaviour
Jul-20	Grabbed and inappropriate comments	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Sep-20	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Sep-20	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Sep-20	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Sep-20	Flashed and touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Sep-20	Touched inappropriately	Staff (over 18)	Patient (over 18)	Unknown
Nov-20	Flashed and touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Nov-20	Self-gratification and attempted grab	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Dec-20	Inappropriate comments	Staff (over 18)	Patient (over 18)	Patient apologised for behaviour
Jan-21	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Jan-21	Grabbed and inappropriate comments	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Feb-21	Self-gratification whilst watching porn	Staff (over 18)	Patient (over 18)	Adapted care package implemented / patient advised about conduct
Apr-21	Touched inappropriately	Staff (over 18)	Patient (over 18)	Verbal warning issued to patient
May-21	Self-gratification and lurid comments	Staff (over 18)	Patient (over 18)	Offender had lack of capacity, staff supported & care package adapted
Jun-21	Grabbed and inappropriate comments	Staff (over 18)	Patient (over 18)	Verbal warning issued to patient
Jun-21	Self-gratification	Staff (over 18)	Patient (over 18)	Adapted care package implemented / patient advised about conduct

Jun-21	Touched inappropriately	Staff (over 18)	Patient (over 18)	Offender had lack of capacity, staff supported & care package adapted
Jun-21	Grabbed and inappropriate comments	Staff (over 18)	Patient (over 18)	Offender had lack of capacity, staff supported & care package adapted
Jul-21	Sexually inappropriate comments	Staff (over 18)	Patient (over 18)	Adapted care plan implemented and other agencies informed
Aug-21	Sexually inappropriate comments	Staff (over 18)	Patient (over 18)	Offender had lack of capacity, staff supported & care package adapted
Sep-21	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Oct-21	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Oct-21	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care package implemented
Oct-21	Touched inappropriately	Staff (over 18)	Patient (over 18)	Adapted care plan / staff supported
Jun-22	Touched inappropriately	Staff (over 18)	Patient (over 18)	Behaviour letter issued

e) 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)?

Zero

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