

Information Governance
Charter House
7 Alma Street
Luton
LU1 2PJ

Email elft.foi@nhs.net

Website: <https://www.elft.nhs.uk>

12th May 2022

Our reference: FOI DA4123

I am responding to your request for information received **2nd March 2022**. I am sorry for the delay in responding to your request. This has been treated as a request under the Freedom of Information Act 2000.

When an organisation receives a request for information under the Freedom of Information Act, it is allowed under the Act to apply a blanket exemption to this where it has concluded that providing a response would take in excess of eighteen hours. When the cost of compliance and extracting information would exceed eighteen hours, a cost limit of £450 can be applied. This is explained in Section 12 of the Freedom of Information Act 2000 and is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to eighteen hours work.

Having reviewed your request, the Trust has noted that it would not be able to provide all the information requested within the eighteen hours specified in the Freedom of Information Act 2000.

In order to assist you with your request, I have advised below the timing each question would take in order to assist you to refine your request. If you wish to refine your request to comply with the eighteen hour time limit, please do get in touch.

I am now enclosing a response which is attached to the end of this letter. Please do not hesitate to contact me on the contact details above if you have any further queries.

Yours sincerely,



Lara Cousens
Information Governance Manager – Information Rights

If you are dissatisfied with the Trust's response to your FOIA request then you should contact us and we will arrange for an internal review of this decision.

If you remain dissatisfied with the decision following our response to your complaint, you may write to the Information Commissioner for a decision under Section 50 of the Freedom of Information Act 2000. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113
Web: www.ico.org.uk

Please note that the data supplied is not allowed to be re-used and/or published without the explicit consent of East London NHS Foundation Trust. Please contact the signatory to request permission if this is your intention

Chair: Eileen Taylor (Interim)

Chief Executive: Paul Calaminus

We care

We respect

We are inclusive

Request:

Question 1: Please provide the number of allegations reported within your trust, clinical commissioning group or other care setting as defined, of

- a) Rape
- b) Sexual assault
- c) Sexual harassment
- d) Sexual misconduct

Question 2: Please advise the location of these offences and or alleged offences broken down by location Mental Health Unit, Hospital, Other Hospital Setting to be clearly defined.

Question 3: Please provide this data for the last three years, 2019, 2020, 2021 and 2022 to date.

Question 4: Please provide a month by month and location.

Question 5: Please identify if these allegations are
A On Staff carried out by a staff Member
B On Staff carried out by a patient or visitor
C By Staff on a Patient
D by Staff on a visitor
E On Staff carried out by a visitor

Question 6: For each of these allegations please advise if a suspect was identified and or arrested.

Question 7: If a suspect was identified and the suspect was identified as a member or staff or a contractor to the trust, CCG or group. What was the outcome? Was the suspect subsequently arrested, charged or convicted? Was the suspect subsequently investigated, suspended or dismissed from the Trust.

Answer: Section 1(1) of the Freedom of Information Act 2000 states:

Any person making a request for information to a public authority is entitled—
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
(b) if that is the case, to have that information communicated to them.

The Trust does not record incidents specifically as allegations. In order to obtain the information to respond to this request, it would involve reviewing records of patient incidents and staff personal records. As there is no legal basis for the Trust to view those records in order to respond to an FOI, we are therefore unable to answer this request.