

Information Governance

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1st March 2023

Our reference: FOI DA4428a

I am responding to your request for information received 25 February 2023. This has been treated as a request under the Freedom of Information Act 2000.

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,



Keshia Harvey
Information Governance Manager

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



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Chief Executive: Paul Calaminus
Chair: Eileen Taylor

Request: Many thanks for all this information you have provided here.

Re answer 6b, Can I just ask you whether you also have figures for the legal costs involved in these 3 cases ie costs to lawyers, not compensation to claimant?

Answer: Please see table below:

Date of claim	Claimant type	Alleged perpetrator	Claimant's costs	Defence costs
2019	Staff member	Patient	£6,201.68	£1,750.00
2020	Staff member	Patient	TBC	£387.00
2020	Patient	Patient	£32,000.00	£2,276.40

The information the Trust holds does not break down legal costs in the way you requested and is only able to provide figures of "claimant's costs" and "defence costs".



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Original Request:

Question 1: Does your organisation have a policy that covers sexual safety, specifically preventing episodes of sexual misconduct and sexual violence involving patients, visitors and staff?

Answer: The Trust does not have a policy specifically preventing episodes of sexual misconduct and sexual violence involving patients, visitors and staff.

Question 2: If your answer to question 1 was yes, please can you forward an electronic copy of the policy to me?

Answer: Not applicable.

Question 3: If your answer to question 1 was yes, what date did the policy become effective?

Answer: Not applicable.

Question 4: If you have updated your policy within the past five years, please can you provide me with an electronic copy of the policy it replaced? If the information is available, please can you specify how your current policy is now different?

Answer: Not applicable.

Question 5: Has your organisation accepted vicarious liability for any cases of sexual assault or violence concerning any staff or patients in the past five years (2017 to date) (Please include any cases that may have led to an out of court settlement.)

Answer: Yes.

Question 6a: If your answer to question 5 was yes, please can you provide figures, specifically for the total number of cases and total compensation paid per year?

Answer: Three cases where liability has been admitted. A total of £53,528 has been paid.

Question 6b: If possible, can you provide a breakdown for each case, specifying year; cost; whether the claimant was a patient, staff member or other (please specify); and whether the perpetrator was a staff member or patient?

Answer: Please see table below:

Date of claim	Damages to claimant	Claimant type	Alleged perpetrator
2019	9,528.00	Staff member	Patient
2020	TBC	Staff member	Patient
2020	44,000.00	Patient	Patient



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