



**East London**

**NHS Foundation Trust  
Information Governance**

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02 August 2024

**Our reference: FOI DA5486a**

I am responding to your request for information received 31 July 2024. 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,

Information Rights Coordinator

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](http://www.ico.org.uk)

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We promise to work together creatively to: learn 'what matters' to everyone, achieve a better quality of life and continuously improve our services.  
**We care . We respect . We are inclusive**

**Chief Executive Officer:** Lorraine Sunduza  
**Chair:** Eileen Taylor

**Request:** I understand the "less than five" absolute exception but in the context of this FOI, could you please reconsider the first request?  
This FOI was filed to over 200 NHS Trusts in England to accumulate to the best estimate, the number of NHS employees who have faced child sexual abuse allegations in the last five years.  
The information you might hold and in this case, a number, is only a small part of a massive whole that when summed up, negates the argument of identification of these employees.  
If you're aware of these incidents, could you please consider this before making a final decision? All subsequent requests marked 2 - 4 have been made redundant and I'm asking you to apply this to only the first request marked (1).

**Answer:** The Trust has reviewed question 1 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 40 for the FOI Act states:

*(2) This exemption covers the personal data of third parties (anyone other than the requester) where complying with the request would breach any of the principles in the UK GDPR.*

The information you have requested relates to less than five individuals and has the potential for those individuals to be identified, either directly or when amalgamated with other information. Additionally, providing such information may compromise such individual's right to confidentiality. Considering this is regarding sensitive personal information, a breach of confidentiality and an individual's right to privacy through disclosing such information would breach Data Protection legislation and, on balance, is therefore not considered in the public interest. The Trust is therefore unable to provide this information.



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**Original Request FOI DA5486: Pursuant to the UK's Public Records Act, I hereby request the following:**

**Question 1: A list of the number of all employees accused or arrested on charges of child sexual abuse from January 1, 2019, until the day this request is fulfilled.**

Answer: The Trust has reviewed question 1 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 40 for the FOI Act states:

*(2) This exemption covers the personal data of third parties (anyone other than the requester) where complying with the request would breach any of the principles in the UK GDPR.*

The information you have requested relates to less than five individuals and has the potential for those individuals to be identified. The Trust is therefore unable to provide this information.

**Please consider the timeframe listed in request (1) above for all subsequent requests below.**

**Question 2: A breakdown of the different crimes reported: rape, grooming, groping, lewd acts, anal or vaginal penetration, and other examples listed as crime by the Home Office.**

Answer: The Trust has reviewed question 2 of your request for information under the Freedom of Information Act (FOI) 2000.

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.*

East London NHS Foundation Trust does not record information regarding staff that are accused or arrested for criminal offences unless they lead to a formal process in line with Trust policy, and is therefore unable to provide a response.

**Question 3: All disciplinary files or records of employees investigated for child sexual abuse. This request relates to employees whose names have already been released into the public domain and as such, Section 40 of the Act which exempts sensitive information on the identity of these employees cannot be applied to this request.**

Answer: The Trust has reviewed question 3 of your request for information under the Freedom of Information Act (FOI) 2000.

Section 40 for the FOI Act states:

*(2) This exemption covers the personal data of third parties (anyone other than the requester) where complying with the request would breach any of the principles in the UK GDPR.*

The information you have requested relates to less than five individuals and has the potential for those individuals to be identified. The Trust is therefore unable to provide this information.



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**Question 4: An annual summary from 2019 of all legal costs, settlements, or restitution paid to affected families of these children.**

**(Such public records should include, but not be limited to, all complaints; allegations; claims; investigatory reports; analyses; summaries; memoranda and/or notes; interview recordings; transcripts and/or notes; reviews; emails, text or other electronic messages, voicemails, and/or other communications and/or correspondence; determinations; decisions; orders; resignation letters; employment reclassification documents; offers in compromise and/or settlement agreements; termination and/or transfer papers; letters of reproof and/or other disciplinary actions, whether imposed or not; referrals to law enforcement, administrative, and/or licensing agencies, departments, and/or bodies; appeals; court filings and/or rulings; and all similar materials notwithstanding the use of other terminology, nomenclature, or categorization by this or other involved public agencies.)**

**Answer:** The Trust has reviewed question 4 of your request for information under the Freedom of Information Act (FOI) 2000.

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.*

East London NHS Foundation Trust does not record the information requested and is therefore unable to provide a response.



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