

## Freedom of Information Request

---

**Reference Number:** EPUT.FOI.23.2971  
**Date Received:** 15<sup>th</sup> of May 2023

---

### Information Requested:

For each question, please can you provide data for the following years – 2020, 2021, 2022, 2023 to date?

Essex Partnership University NHS Foundation Trust takes all reports of sexual misconduct seriously and all reports are recorded pending thorough investigation and regardless of outcome.

All staff have a professional duty to report concerns and a lot of work has taken place across the Trust to build a culture in which colleagues and patients are encouraged to report concerns via our Freedom to Speak Up network and Patient Liaison Service in addition to our formal incident reporting systems.

Clear systems are in place to ensure all reported incidents are recorded and investigated swiftly and all staff take regular mandatory safeguarding training reminding them of the importance of reporting concerns and how to do so.

The Trust records all aspects of Sexual misconduct and violence under the 'Sexual Safety' Category on its Risk Management system. The following data is the appropriate sub categories relevant to the request received.

Sexual misconduct covers a broad range of inappropriate, unwanted sexual behaviour. From the most severe forms of sexual violence, including rape and sexual assault, it also extends across to sexual harassment, stalking, and abusive or degrading remarks.

The NHS definition of sexual violence describes it as any sexual act that a person did not consent to, or is forced into against their will, including rape, sexual assault, unwanted sexual touching, forced kissing, child sexual abuse, sexual torture and other sexual offences.

1. How many sexual assaults were reported to the trust?
  - a) Of these allegations, please advise whether they were:
    - i) On Staff carried out by a staff Member
    - ii) On Staff carried out by a patient or visitor
    - iii) By Staff on a Patient
    - iv) By Staff on a visitor
    - v) On Staff carried out by a visitor
    - vi) On a patient carried out by a patient
  - b) Of these alleged offences, how many were reported to the police?

c) If these alleged offences involved members of staff or contractors of the trust, please outline whether disciplinary proceedings took place and what was the outcome?  
 We can provide sexual misconduct incidents for the period of 2020 - 2022 – these are already detailed in EPUT.FOI.22.2648 which is publicly available on our website: <https://eput.nhs.uk/media/lecfzxy/eput-foi-22-2648-response.pdf> Therefore the Trust is applying a Section 21 exemption of the Act (Information accessible to applicant by other means):

The data for 2023 is detailed below:

	2023-24 YTD
Safety from Sexual Harm - Service User on Service User	6
Safety from Sexual Harm - Service User on Staff	10
Safety from Sexual Harm - Staff on Service User	3
Safety from Sexual Harm - Other on Staff	1
Sexual Harassment - Service User on Staff	7
Sexual Harassment - Staff on Staff	1
Other Sexual Incident - Service User on Service User	4
<b>Total</b>	<b>32</b>

2. How many rapes were reported to the trust?

a) Of these allegations, please advise whether they were:

i) On Staff carried out by a staff Member

ii) On Staff carried out by a patient or visitor

iii) By Staff on a Patient

iv) By Staff on a visitor

v) On Staff carried out by a visitor

vi) On a patient carried out by a patient

b) Of these alleged offences, how many were reported to the police?

c) If these alleged offences involved members of staff or contractors of the trust, please outline whether disciplinary proceedings took place and what was the outcome?

Please see response to question 1.

---

**Section 21: Information accessible to applicant by other means.**

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)—

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

---

#### **Publication Scheme:**

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organization. EPUT's Publication Scheme is located on its Website at the following link <https://eput.nhs.uk>