

## Freedom of Information Request

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**Reference Number:** [EPUT.FOI.23.2932](#)  
**Date Received:** [19<sup>th</sup> of April 2023](#)

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### Information Requested:

Could you please provide the following information?

1. The number of allegations of sexual misconduct, sexual harassment, sexual assault and rape that the Trust received from a member of staff against another member of staff in 2022.
  2. The number of allegations of sexual misconduct, sexual harassment, sexual assault and rape that the Trust received from a member of staff against another member of staff in 2021.
  3. The number of allegations of sexual misconduct, sexual harassment, sexual assault and rape that the Trust received from a member of staff against another member of staff in 2020.
  4. The number of allegations of sexual misconduct, sexual harassment, sexual assault and rape that the Trust received from a member of staff against another member of staff in 2019.
  5. The total number of allegations of sexual misconduct, sexual harassment, sexual assault and rape that the Trust received from a member of staff against another member of staff between 2019 and 2022.
  6. The total number of allegations of sexual misconduct, sexual harassment, sexual assault and rape received from a member of staff against another member of staff between 2019 and 2022 which resulted in action being taken against the individual accused.
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### Response

The Trust believes that this information is publicly available on its website: [Original Question: \(eput.nhs.uk\)](#) website and therefore is applying a Section 21 exemption of the Act (Information accessible to applicant by other means).

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### Applied Exemption

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.

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#### **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 organisation. EPUT's Publication Scheme is located on its Website at the following link <https://eput.nhs.uk>