

Freedom of Information Request

Reference Number: EPUT.FOI.23.3216

Date Received:

Information Requested:

My questions are related to 'diversity, equity and inclusion' (DEI). I recognise organisations may have different names for 'diversity, equity and inclusion'. Therefore, in the spirit of The Freedom of Information Act, please take this phrase to also mean 'diversity, equality and inclusion' or whatever your organisation terms the DEI framework, and to apply to discrete elements of the DEI framework – EG 'diversity' training sessions, or 'inclusivity' training sessions, as well as training sessions that are related to the DEI framework – EG 'unconscious bias' training, or 'gender identity' training.

Please tell me the following:

1. Broken down annually, from 2019 to present how many training sessions related to 'Diversity Equity and Inclusion' have employees of your organisation been invited to complete? If possible, please detail how many of these training sessions were mandatory for employees to attend, and how many were voluntary. If possible, please also detail how many of these training sessions were led by internal staff, and how many by external providers.

2019:

- 22 mandatory sessions - run for a range of employees across the trust (internal)

2020:

- 38 mandatory sessions - run for a range of employees across the trust (internal)
- Three voluntary sessions, run internally
- Five voluntary sessions, run by an external provider

2021:

- 19 mandatory sessions run for a range of employees across the trust (internal)
- Nine voluntary sessions (internal)
- Five voluntary sessions (external provider)

2022:

- 23 mandatory sessions - run for a range of employees across the trust (internal)
- Six voluntary sessions (internal)

2023:

- 21 mandatory sessions - run for a range of employees across the trust (internal)
- Two mandatory sessions for recruiting and hiring managers (internal)

2. Please share with me the titles of the five most recent DEI-based training sessions provided to your organisation's employees.

1. Induction Training
2. Debias Recruitment Training
3. Allyship
4. Micro-incivilities
5. Positive Cultures

3. How many staff members whose role is predominantly focussed on DEI does your organisation employ? For example, employees with titles such as 'diversity manager', 'head of inclusion', or 'head of culture'. Please also inform me how many such roles your organisation held at year end (or whenever you measured them) in 2022, 2021, 2020 and 2019.

2019 – 2020: 1

2021 – 2023: 2

4. Please inform me how many internal grievances have been raised by employees of your organisation from 2019 to present, broken down by year.

2019: 68

2020: 66

2021: 56

2022: 73

2023: 71

(The above information is in relation to staff members who hold substantive or FTC with the Trust.)

5. Please inform me how many internally raised grievances have resulted in disciplinary procedures being instigated from 2019 to present, broken down by year.

Please note that the trust's policy is not to provide patient or staff numbers, where the response is less than or equal to five (≤ 5) as it would potentially allow identification of the individual patient/staff and would therefore be personal data. The trust considers that release of that information would breach GDPR/DPA18 principles on the grounds that it would not be fair in all the circumstances. This information is therefore exempt under section 40 of the FOI Act 2000.

2019: ≤ 5

2020: 0

2021: 0

2022: 0

2023: 0

(The above information is in relation to staff members who hold substantive or FTC with the Trust.)

6. Please inform me how many of your employees have received sanctions following disciplinary procedures that arose as a result of internally raised grievances from

2019 to present, broken down by year. If possible, please detail how many instances of each outcome were enacted (EG number of written warnings, number of dismissals etc.); please also break this information down by calendar year.

Please note that the trust's policy is not to provide patient or staff numbers, where the response is less than or equal to five (≤ 5) as it would potentially allow identification of the individual patient/staff and would therefore be personal data. The trust considers that release of that information would breach GDPR/DPA18 principles on the grounds that it would not be fair in all the circumstances. This information is therefore exempt under section 40 of the FOI Act 2000.

2019: ≤ 5
2020: 0
2021: 0
2022: 0
2023: 0

(The above information is in relation to staff members who hold substantive or FTC with the Trust.)

7. If possible, please inform me what your organisation's total expenditure (or budget, if expenditure is too time-consuming/difficult to calculate) has been for external 'DEI' training sessions from 2019 to present, broken down by year.

Expenditure 2019 - Present:

2019:
£0

2020:
£13,002.00

2021:
£0

2022:
£67.86

2023:
£0

8. If possible, please inform me what your organisation's current salary budget or expenditure (whichever is more convenient) is for staff members whose roles are predominantly focussed around DEI. Please also provide this information for 2019, 2020, 2021 and 2022, broken down by calendar or financial year, whichever is more convenient.

Please note that the trust's policy is not to provide patient or staff numbers, where the response is less than or equal to five (≤ 5) as it would potentially allow identification of the individual patient/staff and would therefore be personal data.

The trust considers that release of that information would breach GDPR/DPA18 principles on the grounds that it would not be fair in all the circumstances. This information is therefore exempt under section 40 of the FOI Act 2000.

9. If possible, please tell me how many staff your organisation currently employs. Please also tell me how many staff your organisation employed (at whichever point in the years you have measurements to hand for – EG year-end) in 2022, 2021, 2020 and 2019.

The Trust believes that this information is publicly available on the [Reports and accounts | Essex Partnership University NHS Trust \(eput.nhs.uk\)](#) website and therefore is applying a Section 21 exemption of the Act (Information accessible to applicant by other means):

Applied Exemption:

Section 40 (Personal information):

- (1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.
- (2) Any information to which a request for information relates is also exempt information if—
 - (a) it constitutes personal data which do not fall within subsection (1), and
 - (b) either the first or the second condition below is satisfied.
- (3) The first condition is—
 - (a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 2018, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—
 - (i) any of the data protection principles, or
 - (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and
 - (b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 2018 (which relate to manual data held by public authorities) were disregarded.
- (4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1)(c) of that Act (data subject’s right of access to personal data).
- (5) The duty to confirm or deny—
 - (a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and
 - (b) does not arise in relation to other information if or to the extent that either—
 - (i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section

- 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 2018 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or
- (ii) by virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1)(a) of that Act (data subject's right to be informed whether personal data being processed).
- (6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 2018 shall be disregarded.
- (7) In this section— “the data protection principles” means the principles set out in Part I of Schedule 1 to the Data Protection Act 2018, as read subject to Part II of that Schedule and section 27(1) of that Act;
- “data subject” has the same meaning as in section 1(1) of that Act;
 - “personal data” has the same meaning as in section 1(1) of that Act.

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 organisation. EPUT's Publication Scheme is located on its Website at the following link

<https://eput.nhs.uk>



Essex Partnership University
NHS Foundation Trust