26 February 2019

Re: Request for information under the Freedom of Information Act 2000

Thank you for your email, dated 21 February 2019, making a request under the Freedom of Information Act 2000 for access to information which may be held by NHS Greater Preston Clinical Commissioning Group (CCG).

Please find detailed below NHS Greater Preston CCG’s response to your request, which is formatted as follows:-

1. Details of NHS Greater Preston CCG’s decision in regard to the information requested.
2. A schedule of all the records covered by your request.
3. A statement concerning copyright and re-use of public sector information.
4. Details of how you can appeal this decision should you wish to do so.

This letter addresses each of these parts in turn:-

1. Decision

I can confirm that NHS Greater Preston CCG holds the information requested.

2. Schedule of records/FOI response

   Request:
   1. For each of the last five calendar years, 2014, 2015, 2016, 2017 and 2018, please state the number of allegations received of:
      Sexual misconduct
      Sexual harassment
      Sexual assault
      Rape
   2. For each of the above allegations received, please state:
      a) Whether the alleged victim was a member of the public, patient or health worker
      b) Whether the alleged perpetrator was a member of the public, patient or health worker
      c) Brief details of allegations
      d) Outcome of case ie for instance if the alleged perpetrator was a member of staff were they cautioned, disciplined of sacked
e) Whether allegation was referred to police

3. For each of the last five calendar years, 2014, 2015, 2016, 2017 and 2018, please state the number of allegations received where the alleged victim was under the age of 18 of:
   a) Sexual misconduct
   b) Sexual harassment
   c) Sexual assault
   d) Rape

4. For each of the above allegations received re alleged victims under 18, please state:
   a) Whether the alleged victim was a member of the public, patient or health worker
   b) Whether the alleged perpetrator was a member of the public, patient or health worker
   c) Brief synopsis of allegations
   d) Outcome of case ie for instance if the alleged perpetrator was a member of staff were they cautioned, disciplined or sacked
   e) Whether allegation was referred to police

5. Please state the number of non-disclosure agreements your organisation holds with current or former staff which involve or relate to sexual misconduct, sexual harassment, sexual assault, rape or other sexual offences. For each of these, please state the number and financial value of the settlements.

Response: We can confirm that no allegations have been reported and/or investigated under any the above fields.

Request: Please provide any official definitions your organisation uses to classify allegations of a sexual nature and any official guidance/flow charts for dealing with such cases.

Response: Please see the attached Equality and Diversity (E&D) Policy and Harassment and Bullying at Work Policy. Please note that the CCG has adopted the E&D policy produced by NHS Blackburn with Darwen CCG and NHS East Lancashire CCG.

3. Copy and reuse of public sector information provided in FOI response

Most of the information provided by NHS Greater Preston CCG in response to Freedom of Information Act 2000 requests will be subject to copyright protection. In the majority of cases the information will be owned by NHS Greater Preston CCG. The copyright for other information may be owned by another person or organisation, as indicated in the information itself: in this case you must apply to the copyright owner to obtain their permission.

You are free to use any information supplied for your own use, including for non-commercial research purposes. It may also be used for the purposes of news reporting.
However, any other type of re-use, for example, by publishing the information or issuing copies to the public will require the permission of the copyright owner.

4. Right of appeal to FOI response

If you are dissatisfied with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you are entitled to complain in the following way:

Initially you should complain in writing to the freedom of information officer, either by email on gpccg.foi@nhs.net or post to Chorley House, Lancashire Business Park, Leyland, PR26 6TT, specifying why you feel you have been wrongly denied access to the information requested. The freedom of information officer will ensure your complaint is investigated under NHS Greater Preston CCG’s internal processes and provide you with a written response within 20 working days.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner’s Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by NHS Greater Preston CCG.

Yours sincerely

Helen Curtis
FOI Lead
Head of Quality and Performance