



Kent and Medway
NHS and Social Care Partnership Trust
Information Governance & Records Management Department

St Michaels House
St Michaels Road
Sittingbourne
Kent
ME10 3DW

Tel: 01795 514525

Sent via email

Email: kmpt.inforaccess@nhs.net
Website: www.kmpt.nhs.uk

Dear [REDACTED]

Request for Information

I write further to your request FOI ID 1893 under the Freedom of Information Act 2000 regarding:-

Sexual Safety

Your request is set out below:

Due to the low numbers involved in the response to your request I would like to confirm that we are unable to release the information, in full. We are not obliged, under section 40 (2) FOIA to provide information that is personal information of another person if releasing would contravene any of the provisions of the Data Protection Act 2018. In this instance we believe that the figures are significantly low enough that identification of those involved could be made, and would therefore contravene the first Data Protection principle, therefore section 40 (2) is engaged.

The terms of this exemption in the freedom of information act means that we do not have to consider whether or not it would be in the public interest for you to have the information. In order to support and assist we have collated the trust-wide figures per year to enable us to provide these for you. Please see table below.

Kent and Medway NHS and Social Care Partnership Trust (KMPT) reports all Serious Incidents under the [national Serious Incident Framework \(2015\)](#). As a safety focused organisation, we actively encourage the reporting of all incidents so that appropriate action can be taken. This can include involving the police, putting safeguarding arrangements in place to protect those involved and supporting service users and staff.

All staff receive mandatory safeguarding training and all front-line practitioners must undertake Level 3 safeguarding training, which incorporates how to respond to allegations. We also have an Allegations Against People in a Position of Trust policy, a Boundaries policy, and a Freedom to Speak Up policy to enable a culture that encourages proactive reporting of any and every concern.

We look after people with complex and enduring mental health needs and the data below relates to allegations of abuse. Following investigation, the vast majority of such allegations are not upheld. We take

We are proud to be smoke free

Trust Chair – Dr Jackie Craissati
Chief Executive – Helen Greateorex

every concern raised very seriously. If an allegation is made against a member of staff they have no further contact with the service user while an investigation is ongoing. If they are agency staff, we also report this to their employer. If a staff member is subject to police investigation they are immediately removed from duty and if they are agency staff they are reported to their employer as well.

- The number of sexual safety incidents reported on in-patient wards from 2019 to the latest available month in 2023? – in each case can you specify who was affected (e.g. staff, patient etc.) and who the perpetrator was (e.g. staff, patient etc.) and specify the sex of the parties involved. Could you split the data month and year please (e.g. January 2023, February 2023 etc.)

Year	Affected						Perpetrator						Reported to police
	Patient	Staff	Other	M	F	Other	Patient	Staff	Other	M	F	Other	
2019	50	104	6	30	125	5	146	6	8	129	21	10	13
2020	67	66	11	43	94	7	125	10	9	109	22	13	21
2021	83	72	Fewer than 5	49	107	3	121	23	15	115	25	19	16
2022	93	70	Fewer than 5	51	111	5	110	24	33	105	22	40	26
2023 - up to 31/08/2023	45	52	5	25	75	2	74	8	20	72	9	21	17

- How many formal sexual safety complaints have been made on in-patient wards from 2019 to the latest available month in 2023? – in each case can you specify the complainant (e.g. staff or patient etc.) and who the complaint was made against (e.g. staff or patient etc.) and specify the sex of the parties involved. Could you split the data month and year please (e.g. January 2023, February 2023 etc.)

Due to the low numbers involved in the response to your request I would like to confirm that we are unable to release the information, in full. We are not obliged, under section 40 (2) FOIA to provide information that is personal information of another person if releasing would contravene any of the provisions of the Data Protection Act 2018. In this instance we believe that the figures are significantly low enough that identification of those involved could be made, and would therefore contravene the first Data Protection principle, therefore section 40 (2) is engaged.

The terms of this exemption in the freedom of information act mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

- How many breaches of the single sex ward policy have been recorded (patients being placed on mixed wards) from 2019 to the latest available month in 2023? – if possible, in each case can you specify the sex of the patient(s) affected. Could you split the data month and year please (e.g. January 2023, February 2023 etc.)

All information requested is not routinely collected outside normal record keeping of an incident. The requested information is not held centrally and is contained within the individual incident records and archive systems which cannot be extracted as a stand-alone piece of data. In order to extract the requested information and collate the results would require a manual exercise to identify and review incident records

and would exceed the appropriate time limits, as per the Freedom of Information Act 2000 section 12(1) which does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

- How many sexual safety incidents reported across the whole Trust services from 2019 to the latest available month in 2023? - In each case can you specify who made the report (e.g. staff or patient etc.) and who was reported (e.g. staff or patient etc.) and specify the sex of the parties involved. Could you split the data month and year please (e.g. January 2023, February 2023 etc.)

Please see above

- How many reports have been made to the police in relation to sexual safety incidents from 2019 to the latest available month in 2023? - Could you split the data month and year please (e.g. January 2023, February 2023 etc.)

Please see above

- Do you have an individual Board lead for sexual safety? - Please answer yes or no.

Yes

- Have you audited the collaborative 'Sexual Safety Standards' (2020) in your Trust? - Please answer yes or no. If yes, could you provide a copy of the report please.

Yes, at present the report has not yet been finalised and we are therefore not able to share this with you.

Please provide all this data in a spreadsheet (preferably .xlsx) with separate tab/worksheet headings relating to the questions above.

I confirm that the information above completes your request under the Freedom of Information Act 2000. I am also pleased to confirm that no charge will be made for this request.

If you have any questions or concerns or are unhappy with the response provided or the service you have received you can write to the Head of Information Governance at the address on top of this letter. If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision.

Yours Sincerely

On Behalf of
The Information Governance Department