

23 September 2024

IC-329669-S9J7

## Request

On 3 September 2024 you made the following request:

- 1. For the year 2023/24, please provide the number of incidents reported by staff of alleged harassment.*
- 2. Please break down the figure to show details of the alleged harassment in a way that would reveal no one's identity.*
- 3. For the year 2023/24, please provide the number of staff sickness absences recorded related to harassment.*

On 4 September 2024 you added the following point to your request:

*'The ICO has around 30 staff who have been fully trained to be mental health first aiders and are certified by MHFA England.'*

*All mental health first aiders have been through a comprehensive training programme covering a wide range of illnesses and issues. In the same way that we have physical first aiders, the mental health first aiders are available to call upon for help and support with mental health concerns.'*

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fico.org.uk%2Fabout-the-ico%2Fjobs%2Finclusion-and-wellbeing%2F&data=05%7C02%7Cicocasework%40ico.org.uk%7C7e8d45ca7f3b447a05ca08dcccccefb2%7C501293238fab4000adc1c4cfefba21e6%7C0%7C0%7C638610436569256288%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Iik1haWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdta=jWZn4JK2e0BqyZckP4qqT48PI3jHJ0sUc3NN0fSmkek%3D&reserved=0>

*Please provide an outline of the training programme, details of how it is*

*delivered, the number of staff who undertook the training in 2023/24 and details of all costs incurred by staff who undertook the training in that year.*

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

## **Response**

We hold information that falls under the scope of your request. However, we are refusing the request because to locate the information requested in entirety would exceed the cost limit set out by section 12 of the Freedom of Information Act 2000 (FOIA).

This is due to parts 1 and 2 of your request.

Allegations of harassment may be recorded in different ways. These include allegations staff make against other staff (which may be recorded by our People Services Team, by managers and others, or as part of staff surveys, for example), and allegations about members of the public (which might be recorded in correspondence, casework records or other information relating to the management of customer contact).

We do not have a way to electronically extract all relevant allegations in entirety. While we could do so for staff reports of harassment involving other staff that have been formally logged by People Services (for example), in all other cases we would need to check individual email accounts, case records and any other relevant information on our document management systems for allegations.

Even if all of our systems were fully keyword searchable, searching for the term 'harassment' alone would be unlikely to be sufficient to identify all relevant instances, so extensive manual checks would be required to identify any records that may be relevant, as well as whether it is possible to determine the number of staff affected. We cannot guarantee that it would be possible to categorise such incidents as requested in point 2. To investigate this we would need to locate the details of each allegation, and the provisions of Section 40 may apply to some of this information.

To take case records as one example. For 2023/24 alone we hold thousands of records relating to complaints, requests and other cases on which an allegation of harassment might be documented. Even if we only searched 1000 of these, assuming that it would take around two minutes to check each (and in many cases this could take longer), this would involve over 60 hours of work. This does

not include all the other locations we would need to search such as inboxes and records held elsewhere on our document management systems.

Locating all the information in scope of this request would certainly exceed the 18 hours which would accrue a charge of £450 or less, triggering the provisions of section 12 of the FOIA. On this basis, we are refusing your request.

### **Advice and assistance**

In relation to points 1 and 2 we could consider a request for figures held by our People Services Team, but this would be limited to harassment staff report in relation to other staff, rather than anything relating to members of the public. Staff surveys may also include responses about harassment, but typically ask staff if they have experienced bullying, harassment or discrimination, so it would not be possible to separate out harassment from these results, nor do our surveys report on details about such as whether any instances reported involved other staff or members of the public, or specific incident types.

We could consider a request for information about harassment recorded in specific types of documents such as the examples mentioned on the previous page, or we could try and narrow down our searches using other criteria such as date ranges or searching for records on particular types of case, for example.

In relation to point 2, it would be helpful to know what kind of breakdown/detail you have in mind. It may be possible to break down any figures held according to details such as staff characteristics, job role, team, or date (such as by month), but in relation to incident type we do not hold a list of categories as such, so we would need to know what criteria you are looking for in any requested breakdown, in order to consider this part of the request further.

As mentioned above, the exemption at Section 40 may apply to any information that would enable individuals to be identified.

Please also note that any request requiring us to manually search large numbers of records is likely to exceed the appropriate limit, and the accuracy of any such searches could not be guaranteed. Consideration can also be given as to whether the value to the public of any resulting information is proportionate to the effort to locate it, particularly given the issues regarding accuracy described.

Point 3 could be considered as a standalone request or in conjunction with a refined version of the overall request. However, the provisions of Section 40 may apply to any information that would enable individuals to be identified.

In relation to point 4, we could consider this as a separate request, in conjunction with point 3 or with refined versions of the other two points. You can find out more about the MHFAider programme here:

<https://mhfaengland.org/>

This concludes our response to your request.

### **Next steps**

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint](#) through our website.

### **Your information**

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



Information Access Team  
Strategic Planning and Transformation  
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