

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 13 December 2024

**Public Authority:** Oxford University Hospitals NHS Foundation Trust

**Address:** John Radcliffe Hospital  
Headly Way  
Headington  
Oxford  
OX3 9DU

#### **Request:**

The complainant requested the following information from Oxford University Hospitals NHS Foundation Trust on 1 August 2024:

"Under the Freedom of Information Act 2000, please provide me with the following information about sexual safety incidents that have taken place at your trust, including but not limited to sexual harassment, sexual abuse, sexual assault and rape. (See after the question for clarification on these definitions.)

In order to assist you, I understand that some, if not all of this information should be recorded in the trust's safety incident reporting system, or it may be recorded by your HR team.

Please use the attached spreadsheet to provide your answers, and to explain any gaps in your data.

N.B. This is my new dedicated FOI email address. Please respond to this email.

Total sexual safety incidents

1. How many sexual safety incidents did the trust record? (This includes incidents by all alleged perpetrators against all alleged victims: staff, patients, visitors, members of the public)

1.1 in 2022/23 financial year

1.2 in 2023/24 financial year

Sexual safety incidents by staff against patients

2. How many sexual safety incidents allegedly perpetrated by staff against patients did the trust record?

2.1 in 2022/23 financial year

2.2 in 2023/24 financial year

Sexual violence and misconduct by patients against other patients

3. How many sexual safety incidents allegedly perpetrated by patients against other patients did the trust record?

3.1 in 2022/23 financial year

3.2 in 2023/24 financial year

Sexual safety incidents by patients against staff

4. How many sexual safety incidents allegedly perpetrated by patients against staff did the trust record?

4.1 in 2022/23 financial year

4.2 in 2023/24 financial year

Sexual safety incidents by staff against other staff

5. How many sexual safety incidents allegedly perpetrated by staff against other staff did the trust record?

5.1 in 2022/23 financial year

5.2 in 2023/24 financial year

Age of alleged victims

6. How many of the sexual safety incidents did the trust record where the victim was a patient:

6.1 Under 18 (this includes under 16 and under 13)

6.2 Under 16 (this includes under 13)

6.3 Under 13

Please provide figures for the 2022/23 and 2023/24 financial years.

7. How many incidents of physical violence perpetrated by patients against staff did the trust record?

7.1 in 2022/23 financial year

7.2 in 2023/24 financial year

Terminology:

Sexual safety incidents include any behaviour of a sexual nature that is unwanted, or makes another person feel uncomfortable or afraid. This covers:

- sexual assault: when a person is coerced or physically forced to engage in sexual activity against their will, or when a person (of any gender) touches another person sexually without their consent.
- sexual harassment: any behaviour that is characterised by inappropriate sexual remarks, gestures or physical advances which are unwanted and make a person feel uncomfortable, intimidated or degrade their dignity.
- Other sexual incidents: where an individual may have witnessed or experienced something of a sexual nature that does not fit in to the categories of sexual harassment or assault, and which made the person feel uncomfortable and/or sexually unsafe.

\* \* \*

N.B. If you require any clarification, please contact me under your Section 16 duty to provide advice and assistance.

Please use the spreadsheet below to provide your answers, following the Court of Appeal decision in *Innes vs Information Commissioner and Buckinghamshire County Council* (2014) GIA/3436/2011 regarding the format of the response, i.e. you should provide the response in the format requested.

I have provided this spreadsheet in both Excel and CSV formats. You only need to fill out one version.

If the decision is made to withhold some of this data using exemptions in the Data Protection Act, please inform me of that fact and cite the exemptions used."

**Commissioner's Decision:**

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the

Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

**Steps:**

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

**Right of Appeal:**

Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF**