



**GIG
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WALES** | Ymddiriedolaeth GIG
Prifysgol Felindre
Velindre University
NHS Trust



**Gwasanaeth Gwaed Cymru
Welsh Blood Service**

Pencadlys Ymddiriedolaeth GIG Prifysgol Felindre
Velindre University NHS Trust Headquarters
2 Cwrt Charnwood
Heol Billingsley
Parc Nantgarw
Caerdydd/Cardiff
CF15 7QZ



**Canolfan Ganser Felindre
Velindre Cancer Centre**

Ffôn/Phone : (029) 20196161

<https://velindre.nhs.wales>

Date: 23rd January 2024

Ref: CORP 2023 - 196

Dear xxxxx

Freedom of Information request: Allegations 2020 – 2023 (CORP 2023 – 196)

Thank you for your request for information which the Trust received on 30th November 2023.

We apologise for the delay in responding.

Your Request:

- 1. Please provide the number of allegations reported within your trust, clinical commissioning group or other care setting as defined, of a) Rape b) Sexual assault c) Sexual harassment**
- 2. Please advise the location of these offences and or alleged offences broken down by location Mental Health Unit, Hospital, Other Hospital Setting to be clearly defined.**
- 3. Please provide this data, broken down for the last three years, 2020, 2021, 2022 and 2023 to date.**
- 4. Please provide a month by month and location**
- 5. Please identify if these allegations are a) A On Staff carried out by a staff Member b) B On Staff carried out by a patient or visitor c) C By Staff on a Patient d) D by Staff on a visitor e) E On Staff carried out by a visitor.**
- 6. For each of these allegations please advise if a suspect was identified and or arrested.**
- 7. If a suspect was identified and the suspect was identified as a member or staff or a contractor to the trust, CCG or group. What was the outcome? Was the suspect subsequently arrested, charged or convicted? Was the suspect subsequently investigated, suspended or dismissed from the group.**

Please find the Trust's response below:

In accordance with Section 17(1) (Refusal of Request) of the Act, the Trust has applied the following exemptions:

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An Absolute Exemption under Sections 40(1) and 40(2)(a) (personal data) of the Freedom of Information Act 2000, which states:

- (1) *Any information to which a request for information relates is exempt information if it constitutes personal 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 does not fall within subsection (1).*

This is because the Trust has a legal obligation to comply with the Data Protection Act 2018 and the retained EU GDPR 679/2016 (UK GDPR). The Trust has assessed that the recorded data applies to less than six (<6) individuals for each of the categories, therefore the Trust believes that there is a potential risk of identification of individuals were the data to be disclosed.

In addition, the Trust assesses that it can rely on a Qualified Exemption under Section 31(1)(a-c) of the Act, which states:

- (1) *Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice -*
 - (a) *the prevention or detection of crime,*
 - (b) *the apprehension or prosecution of offenders,*
 - (c) *the administration of justice.*

And Section 31(2), which states:

- (2) *The purposes referred to in subsection (1)(g) to (i) are -*
 - (i) *the purpose of securing the health, safety and welfare of persons at work, and*
 - (j) *the purpose of protecting persons other than persons at work against risk to health or safety arising out of or in connection with the actions of persons at work.*

In determining the application of a Qualified Exemption under Section 31(1) and (2) the Trust has carried out a Public Interest Test. Which considered the following:

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- Effects of crime on a person
- Effects of crime on society
- Effect of crime on the economy

In this case the Trust considered the impact of crime on a person, which information were it to be published would be likely to prejudice the administration of justice.

I trust this answers your request for information, however, should you not be satisfied with the information supplied or the process of supplying it, you have a right to complain and request a review. Please note that you must submit a request for a review within 40 days of the date of this letter.

You should forward your complaint to:

Mr Ian Bevan via FOI.VUNHST@wales.nhs.uk
Head of Information Governance
Velindre University NHS Trust
2, Charnwood Court
Heol Billingsley
Parc Nantgarw
Cardiff / Caerdydd
CF15 7QZ
Tel / Ffon - 029 20196161

Should you wish to take your complaint further, if you are still unhappy with the decision after review, you can contact the:

Information Commissioner's Office - Wales
2nd Floor,
Churchill House,
Churchill Way,
Cardiff,
CF10 2HH
Telephone: 0330 414 6421
email: wales@ico.org.uk

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Yours sincerely

Lauren Fear

Lauren Fear
Director of Corporate Governance and Chief of Staff
Velindre University NHS Trust
2 Charnwood Court
Heol Billingsley
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