

FOI - 2420

18 June 2024

## **FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST**

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### **The following response relates to Service User Feedback / Complaints**

- 1. How many complaints of each of the following types of discrimination were reported to your organisation in 2021, 2022 and 2023:**

**Response:**

Search completed on Datix with descriptions - Discrimination, Discriminate, Race, ethnicity, ethnic, gay, bisexual, sexual orientation, transgender

**a. Disability discrimination – <5 over 3-year period**

**b. Race or ethnicity discrimination – <5 in each year**

**c. Sexual orientation discrimination - <5 over 3-year period**

- 2. How many complaints were reported to your organisation about discrimination related to a person's HIV status in:**

**a. 2021**

**b. 2022**

**c. 2023**

**Response:**

**<5**

**3. If HIV-related discrimination complaints were reported to your organisation, how many of the following incidents were reported?**

- a. Refusal of a service after HIV status was shared.**
- b. Failure to make reasonable adjustments for a person's HIV status.**
- c. Harassment related to a person's HIV status.**
- d. Use of an organisational policy that discriminated against a person based on their HIV status.**
- e. Another kind of HIV discrimination incident.**

**Response:**

<5 over the 3-year period.

**4. If HIV-related discrimination complaints were reported to your organisation, were they reported by?**

- a. Members of the public.**
- b. Employees of your organisation**

**Response:**

Members of the public

**5. If HIV-related discrimination complaints were reported to your organisation, how many complaints were upheld?**

**Response:**

<5 were reported & resolved.

**6. Does your organisation have a policy to deal with incidents of HIV discrimination reported to them at a strategic level? If so, could you explain what the policy is or attach a copy of said policy?**

**Response:**

N/A

**The following response relates to Employment Cases:**

- 1. How many complaints of each of the following types of discrimination were reported to your organisation in 2021, 2022 and 2023:**

**Response:**

- a. Disability discrimination**

**2021 – 5**

**2022 – <5**

**2023 – <5**

- b. Race or ethnicity discrimination**

**2021 – 0**

**2022 – 0**

**2023 – 0**

- c. Sexual orientation discrimination**

**2021 – 0**

**2022 – 0**

**2023 – 0**

- 2. How many complaints were reported to your organisation about discrimination related to a person's HIV status in:**

**Response:**

- a. 2021 – 0**

- b. 2022 – 0**

- c. 2023 – 0**

- 3. If HIV-related discrimination complaints were reported to your organisation, how many of the following incidents were reported?**

- a. Refusal of a service after HIV status was shared.**

- b. Failure to make reasonable adjustments for a person's HIV status.**

- c. Harassment related to a person's HIV status.**

- d. Use of an organisational policy that discriminated against a person based on their HIV status.**

- e. Another kind of HIV discrimination incident.**

**Response:**

**N/A**

**4. If HIV-related discrimination complaints were reported to your organisation, were they reported by?**

- a. Members of the public.**
- b. Employees of your organisation**

**Response:**

N/A

**5. If HIV-related discrimination complaints were reported to your organisation, how many complaints were upheld?**

**Response:**

N/A

**6. Does your organisation have a policy to deal with incidents of HIV discrimination reported to them at a strategic level? If so, could you explain what the policy is or attach a copy of said policy?**

**Response:**

N/A

The Trust has a legal duty to protect patient confidentiality and, in line with this duty, the figure <5 has been provided where figures are very low. This is because of the potential risk of identification of an individual. In reaching this decision the Trust has taken into account the small geographical area which the Trust serves and the sensitivity of the information requested. In addition the Trust has taken into account the fact that all information disclosed in response to an FOI is disclosed to the 'world at large' and is published on the Trust website.

S 40 (2) (third party information) of the Freedom of Information Act 2000 has been applied to exempt the redacted information from disclosure. The Trust does not consider the disclosure of the redacted information to be fair to the individuals concerned as there is the potential risk of identification of an individual(s) which they would not expect, and which would therefore breach the fairness element of the first principle of the Data Protection Act 2018.

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