

FOI 2619

27th August 2024

FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST

Question 1: Trust Policy documents relating to Anti-Harassment and Anti-Bullying Policy

Response:

Please find attached the Trust Policy on Conflict Bully & Harassment.

Question 2: Copies of written recordings, email communications, minutes of meetings, reports held prior to, and during the investigation, conducted into Staff Member A behaviour and interactions with Organisation A staff

Response:

This information is exempt from disclosure under Section 40(2)(a) and Section 40(3)(a) Personal Data. Section 40(2) is an absolute exemption and therefore the Trust is not obliged to consider whether the public interest favours disclosing the information. The/some information has been withheld under Section 41(1), as it is information that was provided in confidence. It is our view that disclosure of this information would constitute an actionable breach of confidence and so disclosure would also be unlawful under the Act, contravening the first data protection principle. In these circumstances, Section 41 of the FOIA confers an absolute exemption on disclosure and there is no public interest test to apply.

Question 3: Responses made by Staff Member A and colleague Staff Member B as the result of the stated investigation

Response:

This information is exempt from disclosure under Section 40(2)(a) and Section 40(3)(a) Personal Data. Section 40(2) is an absolute exemption and therefore the Trust is not obliged to consider whether the public interest favours disclosing the information. The/some information has been withheld under Section 41(1), as it is information that was provided in confidence. It is our view that disclosure of this information would constitute an actionable breach of confidence and so disclosure would also be unlawful under the Act, contravening the first data protection principle. In these circumstances, Section 41 of the FOIA confers an absolute exemption on disclosure and there is no public interest test to apply.

Question 4: The investigation report, itself

Response:

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Question 5: Trust policy documents regarding Professional Staff Conduct, which would be referenced in relation to pointing staff to expectations and standards, as to how staff should conduct themselves, whilst representing the Trust.

Response:

Please find attached the Code of Conduct for HSC Employees (Southern HSC Trust).

Question 6: Any other miscellaneous messages, internal email communications or letters exchanged and sent between the parties relating to the investigation.

Response:

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Question 7: Any other documentation, relating to Organisation A, Staff Member A and the investigation

Response:

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