



Wrightington, Wigan and Leigh Teaching Hospitals

NHS Foundation Trust

Information Governance Department

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WN1 1XX

Email: foi@wwl.nhs.uk

Web: www.wwl.nhs.uk

Ref: FOI/2024/10352

Date Received: 3rd December 2024

Response Due: 3rd January 2024

Date: 31st December 2024

Dear Sir/Madam

With reference to your request for information received on 3rd December 2024, I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 that we do hold the information you have requested. A response to each part of your request is provided below.

In your request you asked:

Questions:

- 1. Has the trust received written advice or guidance from NHS England setting out how to comply with the NHS sexual safety charter? Please answer yes or no.**

Yes

- 1.1 If yes, please set out what advice or guidance NHS England provided, or provide a copy of it.**

NHS England issued a Sexual Safety Charter Assurance Framework on 16th October 2024 outlining the actions and outputs to comply with all 10 principles of the charter. NHS England also published the National Sexual Misconduct Policy Framework on the same day.

A search for the information has now been completed within the Trust the information is exempt under Section 21 of the FOIA as it is reasonably accessible to you, and I am pleased to inform you that you can access it via the following link: <https://www.england.nhs.uk/publication/sexual-safety-charter-assurance-framework/>

- 2. Point 10 of the NHS sexual safety charter states: "We will capture and share data on prevalence and staff experience transparently." If you answered yes to question 1, has NHS England provided written advice or guidance as to how the trust should record the prevalence of unwanted, inappropriate and/or harmful sexual behaviour in order to comply with point 10 of the charter? Please answer yes or no.**

Yes

2.1 If yes, please set out what advice or guidance NHS England has provided, or provide a copy of it. Specifically, please clarify whether this guidance prescribes what sexual harm data the trust should record, and how to record it? For example, does it stipulate that the trusts should record specific categories of sexual harm, such as patient-on-staff or staff-on-patient incidents? If so, please provide details.

NHS England refers to staff survey data and does not specify the categories that should be captured.

3. If the trust has received no guidance from NHS England as to how to record the prevalence of unwanted, inappropriate and/or harmful sexual behaviour, how does the trust currently record these incidents?

Any sexual misconduct cases are recorded using the HR tracker; The Datix incident reporting system allows to capture incidents of inappropriate sexual behaviour and includes categories such as patient on staff, staff on patient, staff on staff, relatives/members of the public on staff (please see below for full list); we also collect anonymous data on staff experience of sexual unwanted behaviour via the National Staff Survey. We are due to locally implement the NHS England issued Sexual Misconduct Policy which will allow for new reporting routes, including anonymous reporting for staff who may have been subjected to any unwanted sexual behaviour

3.1 Does the trust record and centrally collate all types of sexual safety incidents? Please answer yes or no.

Yes.

3.2. Which of the following categories of incidents does the trust record and centrally collate. Please answer yes or no:

- **Patient-on-staff incidents** = Yes.
- **Staff-on-staff incidents** = Yes.
- **Patient-on-patient incidents** = Yes.
- **Staff-on-staff incidents** = Yes.
- **Visitor-on-staff incidents** = Yes.
- **Visitor-on-patient incidents** = Yes.
- **Patient-on-visitor incidents** = Yes.
- **Staff-on-visitor incidents** = Yes.

3.3 Does the trust record any other categories of incidents, such as incidents perpetrated by members of the public? If so, please provide details of these categories.

The Trust records any types of "categories" on our incident system, however there isn't a specific field that would determine whether it was staff-staff, patient-staff or otherwise, we leave it open to allow any type of incident to be reported.

4. Is the trust fully compliant with all 10 points of the sexual safety charter?

No

4.1. If yes, when did the trust become fully compliant?

N/A

4.2 If no, what points of the charter has the trust yet to comply with; and when does the trust expect to become fully compliant with the charter?

We are due to embed the new national sexual misconduct policy, NHS England training on responding to sexual unwanted behaviour and new reporting requirements accompanied by a clear communications plan. We expect to become fully compliant by April 2025.

5. Has the trust's compliance with the charter been assessed or audited by NHS England? Please answer yes or no.

No

5.1 If yes, what were the findings of that assessment or audit? Was the trust deemed to be fully compliant, partially compliant or not compliant?

N/A

5.2 If yes, when was the assessment or audit carried out and when did the trust receive its findings?

N/A

6. Has the trust undertaken any internal audits or assessments of its compliance with the sexual safety charter? Please answer yes or no.

No

6.1 If yes, what were the findings of this assessment or audit?

N/A

6.2 If no, does the trust have plans to conduct an audit or assessment of compliance?

We monitor progress against our action plan to comply with the charter and provide assurance reports to the People Committee, next will be due in April 2025

6.3 If you answered yes to 6.2, when does the trust plan to conduct this assessment or audit of compliance?

April 2025

7. Does the trust keep centralised records of child abuse committed on the trust premises? Please answer yes or no

The information would be held within Datix as an incident however details would be individually recorded within the child's records.

8. Which incident and risk reporting system does the trust use to record sexual unwanted, inappropriate and/or harmful sexual behaviour? (For example, Datix or Ulysses.)

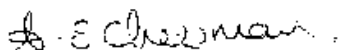
Datix

9. Has the trust appointed a domestic abuse and sexual violence (DASV) lead? Please answer yes or no.

Yes

If you are not entirely satisfied with this response, please do not hesitate to contact the Information Governance Department via the email address provided. If we do not hear from you within 40 days, we will assume that we have been able to accommodate your request under the Freedom of Information Act 2000.

Yours sincerely,



Amanda Cheesman
Deputy Chief Nurse

PLEASE NOTE:

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to: Information Governance Department, Wrightington, Wigan and Leigh NHS Foundation Trust, Suite 9, Buckingham Row, Brick Kiln Lane, Wigan, WN1 1XX.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire, SK9 5AF

Helpline number: 0303 123 111