

<b>Reference:</b>	FOI.7786.21
<b>Subject:</b>	Grievances specifically for bullying and harassment
<b>Date of Request:</b>	20 December 2021

**Requested:**

Please could you send me the below information:

The number of grievances specifically for bullying and harassment, booked against medical doctors, nursing staff and non-clinical managers over the past 10 years in the below departments of our Hywel Dda UHB:

- Obstetrics and gynaecology
- General Surgery
- General medicine

For example, please give the data in the below format if possible:

5 cases of bullying or harassment were booked for the Surgery dept over the past 10 years. 1/5 against doctor, 3/5 against nurses and 1/5 against a manager.

**Response:**

Hywel Dda University Health Board (UHB) is unable to provide you with all of the information requested as it is estimated that the cost of answering your request would exceed the “appropriate level” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. The “appropriate level” represents the estimated cost of one person spending 18 hours (or 2 ½ working days) in determining whether the UHB holds the information, and locating, retrieving and extracting the information.

In order to provide you with the information requested, the UHB would need to undertake a manual search of all grievance records to identify those specifically relating to bullying and harassment for the time period 2011 to 2014, as this information was not held centrally at this time.

The UHB is therefore applying an exemption under Section 12 of the Freedom of Information Act 2000 (FoIA), which provides an exemption from a public authority’s obligation to comply with a request for information where the cost of compliance is estimated to exceed the appropriate limit.

Under section 16 of the FoIA, we are required, as a public authority, to provide advice and assistance so far as it is reasonable, to individuals who have made a request under FoIA and the UHB provides the accessible and disclosable information below.

However, the UHB is unable to provide you with the information broken down by job role as requested, as there is a potential risk of identifying individuals if these details were disclosed. The UHB is therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000 (FoIA).

This information is protected by the Data Protection Act 2018/General Data Protection Regulations 2016 (GDPR), as its disclosure would constitute unfair and unlawful processing and would be contrary to the principles and articles 6 and 9 of the GDPR. This exemption is absolute and therefore there is no requirement to apply the public interest test.

In reaching this decision, the Data Protection Act 2018/General Data Protection Regulations 2016 defines personal data as data which relates to a living individual who can be identified solely from that data or from that data and other information which is in the possession of the data controller.

Therefore, the UHB provides within the table below, the number of grievances, specifically relating to bullying and harassment, for the departments requested, for the calendar years from 2015 to 2021.

Department	Number of grievances
Obstetrics and gynaecology	3
General Surgery	2
General medicine	1