

For the purposes of this FOI, I define 'third parties' as a person who is not council staff, including service-users, members of the public or contractors' staff.

Sexual harassment is defined in law in the Equality Act 2010 as 'unwanted conduct [related to a person's sex] which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. Sexual harassment includes, but is not limited to, sexual assault, requests for sexual encounters and favours, sharing sexual images.

If you categorise incidents of sexual harassment in other ways, including sexual misconduct, sexual assault or rape, please include these cases too for the questions below.

All questions require information regarding the last five financial years: 2018/19, 2019/20, 2020/21, 2021/2022, 2022/23.

1. Over the past five years, how many incidents of sexual harassment allegedly perpetrated by council staff against colleagues has the council recorded? Please share a breakdown by gender for both claimant and alleged perpetrator.
2. Please share the nature of the allegations. For example, indecent exposure, sexual assault, sexual jokes.
3. Of the above cases in Q1, how many staff have been formally disciplined for sexual harassment.
4. Over the past five years, how many incidents of sexual harassment allegedly perpetrated by council employees against third parties has the council recorded? Please share a breakdown by gender.
5. Please share the nature of the allegations. For example, indecent exposure, sexual assault, sexual jokes.
6. Of the above cases in Q4, how many staff have been formally disciplined for sexual harassment against third parties?
- 7.

We do not hold the information that you have requested in an easily retrievable format.

Section 12 of the Freedom of Information Act 2000 (FoIA) relieves a public authority from the obligation to comply with a request for information where the estimated time required to locate, review and extract the information exceeds a certain threshold set out in Regulations.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (SI 2004/3244) set out the rules in relation to the cost limit (otherwise called the "appropriate limit"). These Regulations are published by the Office of Public Sector Information (OPSI) and are viewable on their web site from this link: http://www.opsi.gov.uk/si/si2004/uksi_20043244_en.pdf

The Regulations set out the cost limit for Government departments and for other public authorities. For local government, Regulation 3 states that the cost limit is £450 and Regulation 4(4) states that the prescribed hourly rate is £25. Regulation 4(4) further provides that where the local authority estimates the time taken to gather the information would exceed this limit (which based on the prescribed hourly rate, equates to 18 officer hours), it may refuse the request under section 12 of FoIA.

I am satisfied the cost limit applies to your request and will explain why this is the case.

Due to the way the information is potentially recorded, information may be held within records files held by Legal, Health and Safety and HR:

Legal: We estimate that it would take around 1 hour to identify the exact number of cases during the period, and around 375 minutes or 6 hours 15 minutes to review associated case files to determine those that fit the criteria set out within this request (based on estimate of cases during the time period stated).

<p>a) Over the past five years, how many staff have been suspended over allegations of sexual harassment, sexual assault and sexual misconduct?</p> <p>b) Please provide a total figure of how much the Council has spent on wages during their suspension. (the staff referred to in Q7. a)</p> <p>8. Please share the number and cost of claims closed/settled with damages paid in the last five years in relation to sexual harassment. Please include the following information in the table:</p> <ul style="list-style-type: none"> • Number of claims • Damages paid • Defence costs paid • Claimant Costs Paid • Total Paid • Breakdown by year (year of closure or settlement year) • Breakdown by claimant type (staff or third party) <p>9. I define non-disclosure agreements as a contract through which the parties agree not to disclose information covered by the agreement. Over the past five years, has the council issued a non-disclosure agreement to resolve a sexual harassment case? If so, how many non-disclosure agreements were to resolve sexual harassment cases?</p>	<p>Health and Safety: We will have to examine all incidents recorded on the system during this time period that involved violence and inappropriate behaviour to identify any incidents that relate to specifically to alleged sexual harassment involving the parties set out within this request. We estimate that it would take around 1455 minutes or 24.25 hours to review associated records (based on the number of incidents held in the system).</p> <p>HR: We will have to examine all 'cases' recorded on the system during this period that related to sexual harassment to determine those that fit the criteria outlined. Note that we would not be able to provide a count of 'incidents' but rather 'cases' what we have dealt with. We estimate that it would take 180 minutes or 3 hours.</p>
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