

Ref. No: 0632
Date: 25/01/24
Subject: Workplace Conduct

REQUEST

- 1. The number of allegations of workplace racism reported by present and former staff. Please provide the figures for the following calendar years: 2023, 2022, 2021 and 2020 – *i.e. in 2020, 20 allegations of workplace racism were made by past and present staff.***
- 2. The number of allegations of workplace racism reported by present and former staff which resulted in disciplinary action. Please provide the figures for the following calendar years: 2023, 2022, 2021 and 2020 – *i.e. in 2020, 20 allegations of workplace racism were made by past and present staff, 11 complaints resulted in disciplinary actions.***
- 3. In instances when compensation payments were made to former and present staff following allegations of racism/ racial discrimination, please provide the figures for the following calendar years: 2023, 2022, 2021 and 2020 – *i.e. in 2020, 20 allegations of workplace racism were made by past and present staff, 11 complaints resulted in disciplinary action and in four instances the complaint was escalated to an employment tribunal, two compensation payments were paid amounting to £12,000.***

Please note: By workplace racism – I mean allegations made by past or present staff relating to other staff members – rather than racism incidents involving members of the public against NHS staff.

Please note: if for data protection reasons you are unable to provide the figures broken down by year, please collate the figures over the four-year period – *i.e. between 1st January 2020 and 31st December 2023, the Trust recorded in total 10 instances of racially motivated workplace harassment. Within that period, 5 complaints resulted in disciplinary action and 0 compensation payments were paid out.*

If you believe the contents of any such files are exempt from disclosure, please provide summaries of any such exempt files.

RESPONSE

St Helens and Knowsley Teaching Hospitals NHS Trust and Southport and Ormskirk Hospital NHS Trust became a single legal entity known as Mersey and West Lancashire Teaching Hospitals NHS Trust on 1st July 2023, as such parts of the response may be provided in two sections relating to the hospital sites of each of the legacy organisations.

- 1. The number of allegations of workplace racism reported by present and former staff. Please provide the figures for the following calendar years: 2023, 2022, 2021 and 2020 – i.e. in 2020, 20 allegations of workplace racism were made by past and present staff.**

St Helens and Knowsley:

<5 cases between 1st January 2021 and 31st December 2023.

Southport and Ormskirk:

<5 cases between 1st January 2021 and 31st December 2023.

Section 40: personal information

We are unable to provide precise figures when those figures refer to individuals in volumes of 5 or less due to the risk that individuals will be re-identified, as we are required to protect their identity under the General Data Protection Regulations & Data Protection Act 2018. In such circumstances Section 40(2) and Section 40(3) of the Freedom of Information Act apply. In this case, our view is that disclosure would breach the first data protection principle which states that personal data should be processed “lawfully, fairly and in a transparent manner”. It is the lawful aspect of this principle which, in our view, would be breached by disclosure, and in such circumstances, Section 40 confers an absolute exemption on disclosure.

- 2. The number of allegations of workplace racism reported by present and former staff which resulted in disciplinary action. Please provide the figures for the following calendar years: 2023, 2022, 2021 and 2020 – i.e. in 2020, 20 allegations of workplace racism were made by past and present staff, 11 complaints resulted in disciplinary actions.**

No disciplinaries from any of the complaints.

- 3. In instances when compensation payments were made to former and present staff following allegations of racism/ racial discrimination, please provide the figures for the following calendar years: 2023, 2022, 2021 and 2020 – i.e. in 2020, 20 allegations of workplace racism were made by past and present staff, 11 complaints resulted in disciplinary action and in four instances the complaint was escalated**

to an employment tribunal, two compensation payments were paid amounting to £12,000.

St Helens and Knowsley:

<5 cases settled out of court (£1,342.19) between 1st January 2021 and 31st December 2023.

Southport and Ormskirk:

No cases between 1st January 2021 and 31st December 2023.