



Information Governance Team

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Dear Sir/Madam

Freedom of Information Act 2000 (FOIA)

Request ID: FOI524519320

Thank you for your request for information relating to Sexual harassment by Council employees.

You have requested the following information:

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

Please note there are 9 parts to my request.

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?

7a. Over the past five years, how many staff have been suspended over allegations of sexual harassment, sexual assault and sexual misconduct?

b. Please provide a total figure of how much the Council has spent on wages during their (the staff referred to in Q7. a)) suspension.

In response to Question 1 to 7b, the information you have requested is exempt under section 40 (2) of the FOIA because the incidents of sexual harassment allegedly perpetrated by Council staff against colleagues are too low and could identify individuals. This exemption covers the personal data of third parties (anyone other than the requester) where complying with the request would breach any of the principles in the Data Protection Act.

This has been done as the Council considers that this information meets the definition for personal data set out in Section 3(2) and 3(3) of the Data Protection Act 2018 (DPA) as:

(2) personal data means any information relating to an identified or identifiable living individual (subject to subsection (14)(c))”

(3) “Identifiable living individual” means a living individual who can be identified, directly or indirectly, in particular by reference to –

*(a) an identifier such as a name, an identification number, location data or an online identifier, or
(b) one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.”*

Section 40(2) of the FOIA states that personal data relating to third parties (i.e. a party other than the person requesting the information) is exempt information if it is the personal data of a third party (i.e. not yourself) and one of the conditions in section 40(3A-B) or 40(4A) is satisfied.

The information you have requested includes personal information of employees of Coventry City Council who are not at a senior level. The disclosure of this information would breach one or more of the Data Protection Principles in the UK General Data Protection Regulation (UK GDPR). The condition at section 40 3A(a) is therefore satisfied because disclosure in this instance would breach the first data protection principle. This is because it would be unfair to disclose such personal data where the employees concerned have no expectation that their names would be released in the context of the information held.

Section 40(2) is an absolute exemption not subject to the Public Interest Test.

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:

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)**

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?

In response to Questions 8 and 9, we confirm we do not hold this information and are informing you as per Section 1(!) of the Act. We are not aware of any insurance claims relating to sexual harassment made against the Council over the past five years.

For information, we publish a variety of information such as: [FOI/EIR Disclosure Log](#), [Publication Scheme](#), [Facts about Coventry](#) and [Open Data](#) that you may find of useful if you are looking for information in the future.

If you are unhappy with the handling of your request, you can ask us to review our response. Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: infogov@coventry.gov.uk

If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email icocasework@ico.org.uk.

Please remember to quote the reference number above in your response.

Yours faithfully

Information Governance