

Freedom of Information request 262-19

Request

Please disclose how many people employed in NHS Borders are on the sex offenders register?

Response

We do not record this information, therefore under Section 17 of the FOI(S)A 2002 this data is not held.

If applicants applying for a position with NHS Borders have a criminal record; for applicable posts in regulated work this would be flagged under the PVG Disclosure scheme. NHS Borders would not knowingly employ someone who is registered on the Sex Offenders Register.

Under Section 15 of the FOI(S)A 2002 Duty to provide advice and assistance please find further guidance below:

For more information on the rules visit:

<https://www.mygov.scot/convictions-higher-disclosures/?via=http://www.disclosurescotland.co.uk/SummaryoftheChanges.htm>

For more information on offences which must always be disclosed:

<https://www.mygov.scot/disclosure-types/?via=http://www.disclosurescotland.co.uk/documents/HigherLevelDisclosure--revisedAlwaysDiscloseList--8February2016.pdf>

For more information on offences which are to be disclosed subject to rules:

<https://www.mygov.scot/disclosure-types/?via=http://www.disclosurescotland.co.uk/documents/HigherLevelDisclosure--revisedRulesList--8February2016.pdf>

Any employees in current employment who are found guilty of criminal charges would be investigated under NHS Borders Conduct Policy. In addition if conditions are met a referral to Disclosure Scotland, under Section 2 of the Protection of Vulnerable Groups (Scotland) Act 2007 may be applicable.

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or foi.enquiries@borders.scot.nhs.uk.

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **262-19** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the

Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle,
Doubledykes Road, St Andrews, Fife.