

Freedom of Information request 394-20

Request

I request the following information under the freedom of information (Scotland) act of 2002. A full statistical count, disclosure and description of subsequent action concerning all reports detailing:

- (A) Racist hate incidents.
- (B) Racist acts of civil discrimination.
- (C) Racist hate crimes. (Including murders or attempted murders)

Committed against any black employee by any white employee or any white employee against any black member of the public.

Between Saturday, the 25th of April 2020 through to Saturday, the 25th of July 2020

Please also state when a black person will be head of this service.

(Include Borders General Hospital, Hawick Health Centre, The South Team, Galashiels Health Centre including its sexual health department, Selkirk Health Centre and its sexual health department in all questions)

Response

Following a search of all adverse events recorded on NHS Borders adverse event recording system (Datix) and all Human Resources systems there are no reports found relating to any type of racist incident during the timeframe stated.

The Patient Experience Team has not received any concern or complaint of that nature either during the timeframe stated.

Therefore under Section 17 of the FOI(S)A 2002 no data is held in respect of a) Racist hate incidents, b) Racist acts of civil discrimination and c) Racist hate crimes (including murders or attempted murders) committed against any black employee by any white employee or any white employee against any black member of the public during the period 25 April to 25 July 2020.

In respect of your question around 'when a black person will be head of this service', the Freedom of information (Scotland) Act 2002, provides a right of access to the information we hold however it does not require the public authority to express opinions, make suppositions or draw conclusions. Therefore under Section 17 of the FOI(S)A 2002 this data is not held. Under Section 15 of the FOI(S)A 2002 Duty to provide advice and assistance, NHS Borders does use a values based recruitment approach to help attract and select employees whose personal values and behaviours align with our Organisation's values, regardless of whatever their protected characteristics. Equality, diversity, inclusion and human rights are at the heart of what NHS Borders does and employment decisions are based solely on objective application of agreed scoring methods.

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 **394-20** 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.