

Freedom of Information request 237-22

Request

This is a request for information under the Freedom of Information Scotland Act 2002 regarding resident-to-resident harm. (FYO: resident-to-resident refers to any harm/abuse inflicted on one resident by another resident).

Please can you provide relevant data for the following:

- The total number of formal complaints received by NHS Borders regarding resident-to-resident or patient-to-patient harm/abuse in adult inpatient services in 2021.

If possible, please also provide:

- A brief description of the nature of the complaint (i.e sexual abuse)
- The outcome of the complaint

Please could you provide the information in an electronic format.

Response

In 2021 there were <5 formal complaints received by NHS Borders regarding resident-to-resident or patient-to-patient harm/abuse in our adult inpatient service.

- Description of Issue(s): Staff allegation of aggressive behaviour by complainant towards another patient
- Outcome(s): Partly Upheld

Please note that as NHS Borders is such a small Board the number of complaints is very small, and to provide further details of these could allow individuals to be identified and we would be in breach of the Data Protection Act 2018. We are therefore withholding all other data under Section 38(2)(ii) of the Freedom of Information (Scotland) Act 2002. This is also in accordance with the Code of Practice for Official Statistics any number that is less than five, actual numbers and potentially identifiable information is withheld to help maintain patient confidentiality due to potential risk of disclosure.

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 **237-22** 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.