

Freedom of Information request 204-23

Request

1. How many assaults on staff have been reported to the health board in each of the last two full calendar years and so far, this year? Please break the figures down for each year to give an indication of how many assaults were of a sexual nature and how many were not. If possible, please also break the figures down to show how many of the incidents related to nurses, doctors, and other departments.
2. How many legal cases have been raised against the health board in each of the last two full calendar years and so far, this year by public staff who allege the health board was at fault in some regard for the assault they were subjected to?
3. How much compensation has the health board paid out (either directly or through its insurance) to workers in relation to instances when they were assaulted in the course of their work?

Clarification

In Question 2 “How many legal cases have been raised against the health board in each of the last two full calendar years and so far, this year by public staff who allege the health board was at fault in some regard for the assault they were subjected to?” – what is your definition of “public staff”?

Sorry, that should just say staff, not public staff.

Response

1. The number of assaults on staff that have been reported to NHS Borders is:

By category - Employee	2021	2022	2023
Alcohol related aggression and violence	18	9	<5
Improper behaviour	80	18	21
Physical Aggression by other	6	5	<5
Physical Aggression by patient	1044	387	66
Use of weapon	<5	<5	0

Please note: NHS Borders does not record the job title on the electronic system, therefore, this information is not held, as defined in Section 17, Freedom of Information (Scotland) Act 2002.

2. The number of legal cases raised by staff against NHS Borders relating to a reported assault is:

Category of Claim	2021	2022	2023
Aggression and violence	0	<5	0

3. As there were less than 5 payments made to staff the payments cannot be disclosed as given the rarity of such cases and the small populations within our rural communities, we believe the identity of the claimant(s) would be well known and release of this information would lead to the amount they were awarded being made public. This would breach our duties under the Data Protection Act 2018. We are therefore withholding this data under Section 38(1)(b) of the FOI(S)A 2002.

As the number of events in some areas are very small and 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 confidentiality due to potential risk of disclosure. Further information is available in the [ISD Statistical Disclosure Control Protocol](#).

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 **204-23** 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.