

## Freedom of Information request 286-23

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### Request

Under the Freedom of Information Act, please could you provide me with the following information:

1. The total number of physical assaults on staff recorded in 2021/22 and 2022/23 (financial years from April 1 to March 31)
2. The total number of physical assaults on staff recorded that involved medical factors in 2021/22 and 2022/23 (financial years from April 1 to March 31)
3. The total number of times physical injury to staff was recorded following physical assaults in 2021/22 and 2022/23 (financial years from April 1 to March 31). If possible, please break down the number of injuries reported by severe/major, moderate, and low/minor.
4. The total number of times restraint was used on a service user/patient following a physical assault on staff in 2021/22 and 2022/23 (financial years from April 1 to March 31).
5. The total number of times was seclusion used on a service user/patient following a physical assault on staff in 2021/22 and 2022/23 (financial years from April 1 to March 31).
6. Total number of criminal sanctions applied in relation to physical assaults on staff in 2021/22 and 2022/23 (financial years from April 1 to March 31).
7. Total number of civil and administrative sanctions applied in relation to physical assaults on staff in 2021/22 and 2022/23 (financial years from April 1 to March 31).
8. The total number of times intended police action in relation to physical assaults on staff was recorded as charge in 2021/22 and 2022/23 (financial years from April 1 to March 31)
9. The total number of times intended police action in relation to physical assaults on staff was recorded as verbal warning in 2021/22 and 2022/23 (financial years from April 1 to March 31)
10. The total number of times intended police action in relation to physical assaults on staff was recorded as no action in 2021/22 and 2022/23 (financial years from April 1 to March 31)
11. The total number of times it was recorded that the victim did not want police to pursue the matter in relation to physical assaults on staff in 2021/22 and 2022/23 (financial years from April 1 to March 31)

Please see the notes section for background information on the requested information. Please let me know if you have any queries or need further clarification.

Please provide the information as a spreadsheet or CSV file.

- Assaults involving medical factors - the number of physical assaults where the perpetrator did not know what they were doing, or did not know what they were doing was wrong due to medical illness, mental ill health, severe learning disability or treatment administered, if noted.
- Restraint used - If in the course of a physical assault incident, the service user/patient had to be restrained - see: <http://www.southernhealth.nhs.uk/EasySiteWeb/GatewayLink.aspx?allId=4203>

- Seclusion used - If in the course of a physical assault incident, seclusion was used for the service user/patient - see: <http://www.southernhealth.nhs.uk/EasySiteWeb/GatewayLink.aspx?allId=42033>
- Reported Criminal Sanctions include but are not limited to: Cautions & Conditional Cautions, Community Rehabilitation or Punishment Orders, Conditional Discharges, Fines, Fixed Penalty Notices, Imprisonment (including suspended sentences) and Restorative Justice - as per <https://www.eastamb.nhs.uk/Governance/disclosure-log/Health%20and%20Safety/FOI%20-%2014405%20Reported%20Physical%20Assaults%202015-16.pdf>
- Reported Civil and Administrative Sanctions include but are not limited to: Acceptable Behaviour Agreements, Banning from Premises, Harassment Warning Issued, Injunction, Use of CJIA Powers, Violent Patient Scheme/History Marking Procedure and Warning Letters - as per <https://www.eastamb.nhs.uk/Governance/disclosure-log/Health%20and%20Safety/FOI%20-%2014405%20Reported%20Physical%20Assaults%202015-16.pdf>
- Suppression of small numbers - Previous ICO decision notices where a complaint was upheld in relation to Section 40: [Wirral University Teaching Hospital NHS Foundation Trust](#) and [Barts Health NHS Trust](#)

## Response

1. The number of recorded physical assaults on staff is included in the attached spreadsheet.
2. The number of physical assaults on staff that involved medical factors is included in the attached spreadsheet.
3. The NHS Borders system does not specifically capture injury to staff as this is reported separately under the individual person category, it is not possible to provide this data due to an error in the system. Therefore, this information is not held, as defined in Section 17, Freedom of Information (Scotland) Act 2002.

However, NHS Borders can provide information based on the severity of grading of the adverse events, utilising a risk matrix, by financial year. Grading scores may be arrived at due to the level of injury, disruption to service, etc. therefore not solely based upon physical injuries sustained. This information is included in the attached spreadsheet.

4. This information is not held electronically. The data may be held in a patient's record, but to extract this data would require a manual trawl of all patient records and the cost of carrying out this work would exceed the limit set in the Fees Regulations of the Freedom of Information (Scotland) Act 2002 and under Section 12 we are not required to provide.
5. This information is not held electronically. The data may be held in a patient's record, but to extract this data would require a manual trawl of all patient records and the cost of carrying out this work would exceed the limit set in the Fees Regulations of the Freedom of Information (Scotland) Act 2002 and under Section 12 we are not required to provide.
6. NHS Borders does not capture this specific data on the electronic system, therefore, this information is not held, as defined in Section 17, Freedom of Information (Scotland) Act 2002.
7. NHS Borders does not capture this specific data on the electronic system, therefore, this information is not held, as defined in Section 17, Freedom of Information (Scotland) Act 2002.
8. This information relates to police action, therefore, please note under Section 25 of the Freedom of Information (Scotland) Act 2002 this data is accessible elsewhere. For your information, please find a link to Police Scotland. [Freedom of Information - Police Scotland](#)
9. This information relates to police action, therefore, please note under Section 25 of the Freedom of Information (Scotland) Act 2002 this data is accessible elsewhere. For your information, please find a link to Police Scotland. [Freedom of Information - Police Scotland](#)
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11. NHS Borders does not capture this specific data on the electronic system, therefore, this information is not held, as defined in Section 17, Freedom of Information (Scotland) Act 2002.



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Data.xlsx

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](mailto: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 **286-23** 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.