



Foreign &
Commonwealth
Office

Human Resources Directorate
Foreign and Commonwealth Office
King Charles Street
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Website: <https://www.gov.uk>

12 February 2018

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0043-18

Thank you for your email of 12 January 2018 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

I am writing to request information under the Freedom of Information Act about sexual harassment complaints raised in your department.

1. *Do you automatically record any complaint made about sexual harassment?*

b. If not, please explain why?

2. *How many complaints have been made about sexual harassment within your department each year for the last five years? Please use the calendar years 2013-2017. If known, please provide data on:*

Gender of complainant

Action (not actioned, investigation opened, or however you define them)

Outcome (sanction, disciplinary, etc)

3. *How many allegations of rape have been made about a staff member within your department, each year for the years 2013-2017?*

4. *Please outline your sexual harassment complaints procedure. If applicable please provide a copy of the complaints form, guidelines, code of practice, or any other relevant documents.*

I prefer to receive this information electronically and the data itself ideally in excel if possible.

If you cannot disclose some information because investigations are ongoing, please disclose data for all the other complaints.

Should my request be unmanageable in any way I kindly ask that you contact me as soon as possible for clarification and well in advance of the 20 working day time limit, so that I can provide my clarification or refinement in time for you to respond within the statutory 20 working day time limit.

Should you need to contact me about my request needing refining, I ask that at the same time you tell me how I can revise my request, as per your section 16 duty to provide advice and assistance.

Having said this, I do not foresee any exemptions that would be relevant and therefore invoked in response to my request.

If you do not hold all the information requested, please disclose that which you do hold and explain to the best of your knowledge where I can find the information that you do not hold.

If some information is already publicly available, I ask and think it is reasonable that you should still provide that information in your response, because the entirety and range of the information I request is not already publicly available.

Many thanks for your consideration of this request. I look forward to receiving an acknowledgement and reference number imminently and a full response within the statutory 20 working day time limit.

You later confirmed that you were content to refine your request to UK-based staff only.

I am writing to confirm that we have now completed the search for the information which you requested.

I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request.

**1. Do you automatically record any complaint made about sexual harassment?
b. If not, please explain why?**

All formal complaints about sexual harassment are recorded.

2. How many complaints have been made about sexual harassment within your department each year for the last five years? Please use the calendar years 2013-2017. If known, please provide data on:

Gender of complainant

Action (not actioned, investigation opened, or however you define them)

Outcome (sanction, disciplinary, etc)

In each of the following years 2013 to 2017, the number of complaints recorded was as follows:

2013: Fewer than five

2014: None

2015: Fewer than five

2016: Fewer than five

2017: Fewer than five

Some of the information you have requested, is personal data relating to third parties, the disclosure of which would contravene one of the data protection principles. It is our practice to use “fewer than five” where there are a small number of cases and providing this information could enable individual identities to be revealed. In such circumstances sections 40(2) and (3) of the Freedom of Information Act apply. In this case, our view is that disclosure would breach the first data protection principle. This states that personal data should be processed fairly and lawfully. It is the fairness aspect of this principle, which, in our view, would be breached by disclosure. In such circumstances, s.40 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.

3. How many allegations of rape have been made about a staff member within your department, each year for the years 2013-2017?

No allegations of rape were made in the years 2013-2017.

4. Please outline your sexual harassment complaints procedure. If applicable please provide a copy of the complaints form, guidelines, code of practice, or any other relevant documents.

A copy of the FCO’s grievance form is attached (with some details such as email addresses redacted – exempt under sections 40 (2) and (3) as detailed above). However, sexual harassment complaints can be raised through other means (including verbally, by phone, by e-mail or by letter) and do not have to be submitted on a grievance form. The 28 day limit for submitting a grievance does not apply to sexual harassment cases.

In most cases, sexual harassment would be investigated under the FCO’s Misconduct Procedure, a copy of which is attached (with some details such as email addresses redacted – exempt under sections 40 (2) and (3) as detailed above).

Yours sincerely,

Human Resources Directorate



We keep and use information in line with the Data Protection Act 1998. We may release this personal information to other UK government departments and public authorities.