



Department  
for Environment  
Food & Rural Affairs

Seacole Building  
2 Marsham Street  
London  
SW1P 4DF

T: 03459 33 55 77  
helpline@defra.gsi.gov.uk  
[www.gov.uk/defra](http://www.gov.uk/defra)

Our ref: FOI2018/20746  
22 October 2018

## **REQUEST FOR INFORMATION: Sexual assault and bullying in the department**

Thank you for your request for information of 2 October about Sexual assault and bullying in the department. We have handled your request under the Freedom of Information Act 2000 (FOIA).

You asked for the following information:

*Please may I have the following information on the department? Please treat this as a request under the freedom of information act.*

*Please take "employee" below to refer to all permanent or temporary staff employed directly by the department or seconded to the department from other departments or private firms.*

- The number of investigations into allegations of sexual assault or inappropriate behaviour against employees for each individual year from 2012 until 2017, as well as for 2018 so far.*
- The number of employees against whom disciplinary proceedings for allegations of sexual assault or inappropriate behaviour have been started for each individual year from 2012 until 2017, as well as for 2018 so far.*
- The number of employees against whom disciplinary proceedings for allegations of sexual assault or inappropriate behaviour have been upheld for each individual year from 2012 until 2017, as well as for 2018 so far.*
- The number of investigations into allegations of bullying against employees for each individual year from 2012 until 2017, as well as for 2018 so far.*
- The number of employees against whom disciplinary proceedings for allegations of bullying have been started for each individual year from 2012 until 2017, as well as for 2018 so far.*
- The number of employees against whom disciplinary proceedings for allegations of bullying have been upheld for each individual year from 2012 until 2017, as well as for 2018 so far.2017.*

Defra has searched its records and can provide the following information in the table below:

	2012	2013	2014	2015	2016	2017	2018
The number of investigations into allegations of sexual assault or inappropriate behaviour against employees for each individual year from 2012 until 2017	0	0	0	0	0	0	0
The number of investigations into allegations of bullying against employees	Less than 5*	Less than 5*	0	0	0	0	Less than 5*
The number of employees against whom disciplinary proceedings for allegations of bullying have been started for each individual year from 2012 until 2017	Less than 5*	Less than 5*	0	0	0	0	Less than 5*
The number of employees against whom disciplinary proceedings for allegations of bullying have been upheld for each individual year from 2012 until 2017	0	0	0	0	0	0	0

Defra does hold the information relating to bullying that you have requested, however we have decided that the information on any cases involving fewer than five complaints of bullying should be withheld under sections 40(2) and 40(3A) of the FOIA, as the information constitutes personal data relating to persons other than you. These sections exempt personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would breach any of the data protection principles in Article 5(1) of the General Data Protection Regulation (GDPR).

We consider that disclosure of this information is likely to breach the first data protection principle, which provides that personal data must be processed lawfully, fairly, and in a transparent manner. Disclosure would not constitute 'fair' processing of the personal data because this may identify the individual(s) involved any case(s).

Defra is committed to creating an environment where no-one suffers from harassment, discrimination, bullying and victimisation, either directly or indirectly. We support the right of employees to be treated with dignity and respect at work, and our HR policies and procedures make it clear that the Department will not accept inappropriate behaviours.

We raise awareness of our policies, procedures and support available for staff via internal campaigns where we encourage staff to report anything that does not feel right, whether this relates to whistleblowing concerns, breaches of the Civil Service code, bullying, harassment and discrimination, and fraud. We've assured them that their concerns will be taken seriously, they will be protected and the matter will be investigated promptly.

Information disclosed in response to this FOIA request is releasable to the public. In keeping with the spirit and effect of the FOIA and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on GOV.UK, together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

We attach an annex giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact the address below.

Yours sincerely

**Information Rights Team**

[InformationRequests@defra.gsi.gov.uk](mailto:InformationRequests@defra.gsi.gov.uk)

## **Annex**

### **Complaints**

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Nick Teall, Head of Information Rights, Seacole Building, 2 Marsham Street, London, SW1P 4DF (email: [InformationRequests@defra.gsi.gov.uk](mailto:InformationRequests@defra.gsi.gov.uk)) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted Defra's own complaints procedure. The ICO can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF