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[Redacted]

By email: [Redacted]

Our ref: FOI2023/11874
13 July 2023

Dear [Redacted]

REQUEST FOR INFORMATION: Allegations of Bullying

Thank you for your request for information of 16 June 2023 about allegations of bullying. We have handled your request under the Freedom of Information Act 2000 (FOIA).

Your information request and our response are set out below.

Please share the following information for financial years 2020/2021, 2021/2022 and 2022/2023:

Q1. How many complaints were recorded by your department from staff alleging bullying. Along with a total, please provide a breakdown by gender of both alleged perpetrator and complainant. If recorded, please share a breakdown of cases where the alleged perpetrator was another staff member.

This information is shown in the table below:

Financial Year	Number of complaints
2020/2021	Less than 5
2021/2022	5
2022/2023	28

We do not hold information on gender as our casework reports do not specify gender.

Q2. Of those, how many were subjected to disciplinary investigations. Along with a total, please provide a breakdown by gender of both alleged perpetrator and complainant. In each case, please could you state whether any misconduct was found and, if so, what type of disciplinary action was taken including but not limited to, verbal warning, suspension, dismissal.

Financial Year	Number of disciplinary investigations
2020/2021	Less than 5
2021/2022	Less than 5
2022/2023	23

As stated above we do not hold information on gender.



Q3. Please share how much was spent on legal costs to settle the above claims relating to bullying. Please provide a breakdown of damages paid to victims, claimant's legal costs paid by the department and the department's own legal costs.

This information is not held. We have not had any Employment Tribunals from any of the above cases, therefore we have not incurred any legal cost for settling any bullying cases.

Q4. How many complaints were recorded by your department from staff alleging sexual harassment? Along with a total, please provide a breakdown by gender of both alleged perpetrator and complainant. If recorded, please share a breakdown of cases where the alleged perpetrator was another staff member.

Financial Year	Number of sexual harassment complaints
2020/2021	Less than 5
2021/2022	Less than 5
2022/2023	Less than 5

As stated above we do not hold information on gender.

Q5. Of those, how many were subjected to disciplinary investigations? Along with a total, please provide a breakdown by gender of both alleged perpetrator and complainant. In each case, please could you state whether any misconduct was found and, if so, what type of disciplinary action was taken including but not limited to, verbal warning, suspension, dismissal.

Financial Year	Number of disciplinary investigations relating to sexual harassment complaints
2020/2021	Less than 5
2021/2022	Less than 5
2022/2023	Less than 5

As stated above we do not hold information on gender.

Q6. Please share how much was spent on legal costs to settle the above claims relating to sexual harassment. Please provide a breakdown of damages paid to victims, claimant's legal costs paid by the department and the department's own legal costs.

This information is not held. We have not had any Employment Tribunals from any of the above cases, therefore we have not incurred any legal cost for settling any sexual harassment cases.

Sections 40(2) and 40(3A)

After careful consideration we have decided to withhold information where the numbers concerned are 'less than 5' 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 UK 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 as the number is 'less than 5' it would or would likely be possible to identify the individuals concerned.

Defra believes in providing a work environment that is free from bullying, harassment, and victimisation, and that recognises the dignity of all our employees. The Defra Code of Conduct sets out the standards of behaviour that is expected of all Civil Servants working in the department, and every individual has a responsibility to read and apply the standards. The Code of Conduct sets out the importance of role modelling positive workplace behaviours, demonstrating behaviour, which is professional and respectful, ensuring everyone is treated in an inclusive way. We do not tolerate bullying, harassment, and discrimination. When it does occur, it is essential that everyone feels safe in reporting it so that it can be addressed. We have a policy and procedure in place which explains how to raise complaints of this nature and how they will be dealt with, which we have attached for your information – please see Annex C.

We also have in place a number of internal and external support networks which provide confidential advice and support:

- Staff led Bullying, Harassment and Discrimination network
- Early Resolution Helpline specialist HR Case Managers who are able to discuss options on how to resolve issues and concerns
- Employee assistance programme, which includes access to a team of trained practitioners

Information disclosed in response to this 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](https://www.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 Annex A, explaining the copyright that applies to the information being released to you, and Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact me.

Yours sincerely

[Redacted]

Information Rights Team
InformationRequests@defra.gov.uk

Annex A

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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Annex B

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 ^[Redacted], Head of Information Rights via email at InformationRequests@defra.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 using the following link:

<https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>