



Wrightington, Wigan and Leigh Teaching Hospitals

NHS Foundation Trust

Information Governance Department

Suite 9
Buckingham Row
Brick Kiln Lane
Wigan
WN1 1XX

Email: foi@wwl.nhs.uk
Web: www.wwl.nhs.uk

Ref: FOI/2024/9822

Date Received: 26th April 2024

Response Due: 28th May 2024

Date: 17th May 2024

Dear Sir/Madam

With reference to your request for information received on 26th April 2024, I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 that we do hold the information you have requested. A response to each part of your request is provided below.

In your request you asked:

1. **How many complaints of each of the following types of discrimination were reported to your organisation in 2021, 2022 and 2023:**
 - a. **Disability discrimination**
2021 = 5
2022 = 5
2023 = <5
 - b. **Race or ethnicity discrimination**
2021 = <5
2022 = <5
2023 = 0
 - c. **Sexual orientation discrimination**
2021 = 0
2022 = 0
2023 = <5
2. **How many complaints were reported to your organisation about discrimination related to a person's HIV status in:**
2021 = 0
2022 = 0
2023 = 0

- 3. If HIV-related discrimination complaints were reported to your organisation, how many of the following incidents were reported?**
- a. Refusal of a service after HIV status was shared.**
 - b. Failure to make reasonable adjustments for a person's HIV status.**
 - c. Harassment related to a person's HIV status.**
 - d. Use of an organisational policy that discriminated against a person based on their HIV status.**
 - e. Another kind of HIV discrimination incident.**

Not applicable

- 4. If HIV-related discrimination complaints were reported to your organisation, were they reported by?**
- a. Members of the public.**
 - b. Employees of your organisation**

Not applicable

- 5. If HIV-related discrimination complaints were reported to your organisation, how many complaints were upheld?**

Not applicable

- 6. Does your organisation have a policy to deal with incidents of HIV discrimination reported to them at a strategic level? If so, could you explain what the policy is or attach a copy of said policy?**

The Trust does not have a policy for these incidents.

The Trust has a policy of not releasing information when the data involved is less than 5. This is because we feel that such low numbers could make the individuals involved identifiable and therefore may cause undue harm and distress.

To disclose this information would:

- a) Contravene the Data Protection Act principles in that it would amount to unfair and possibly unlawful processing, as there was a legitimate expectation by the third parties that this information would remain confidential, and
- b) Disclosure may cause damage or distress to the individual(s) involved, and that damage or distress would be unwarranted (section 10 of the DPA).

If you are not entirely satisfied with this response, please do not hesitate to contact the Information Governance Department via the email address provided. If we do not hear from you within 40 days, we will assume that we have been able to accommodate your request under the Freedom of Information Act 2000.

Yours sincerely,



Juliette Tait
Chief People Officer

PLEASE NOTE:

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to: Information Governance Department, Wrightington, Wigan and Leigh NHS Foundation Trust, Suite 9, Buckingham Row, Brick Kiln Lane, Wigan, WN1 1XX.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision at:

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

Helpline number: 0303 123 111