

Date 20 July 2026
Your Ref
Our Ref 11614

Enquiries to Richard Mutch
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Dear

FREEDOM OF INFORMATION – SEXUAL MISCONDUCT

I write in response to your request for information in relation to sexual misconduct.

Question:

1. A copy of the organisation's current policy or policies relating to sexual misconduct and/or sexual harassment?

Answer:

NHS Lothian does not have any specific policies that relate to sexual misconduct and/or sexual harassment but instead follow the Once for Scotland policies and guidance which apply to all Boards in NHS Scotland. There is a Sexual Harassment Guide which can be found at the following link – [Sexual Harassment Guide | NHS Scotland](#) We also have a Once for Scotland Gender Based Violence Policy that can be found at the following link – [Gender-based Violence Policy Overview | NHS Scotland](#) and a Once for Scotland Bullying and Harassment Policy which makes reference to sexual harassment. The link for the Once for Scotland Bullying and Harassment Policy can be found at the following link - [Bullying and Harassment Policy Overview | NHS Scotland](#)

This information is exempt under Section 25 of the Freedom of Information (Scotland) Act 2002 - Information otherwise accessible

(1) Information which the applicant can reasonably obtain other than by requesting it under section 1(1) is exempt information.

Question:

2. Copies of any records, reports, meeting minutes, policy review documents, or other documentation showing changes, updates, reviews, or amendments made to these policies since 26 October 2024, when the Worker Protection (Amendment of Equality Act 2010) Act 2023 came into effect?

Answer:

As advised above we don't have any local policies but are governed by the Once for Scotland policies as noted above. These policies and guide were issued in August 2025. Copies of any documents about the development of these policies and any subsequent review would need to be sourced from the Scottish Government.

Question:

3. Copies of any records showing how these policies have been communicated or promoted to staff since 26 October 2024, including (but not limited to) staff communications, training materials, intranet announcements, awareness campaigns, guidance documents, or briefing materials.

Answer:

When the Once for Scotland policies were launched in August 2025, information would have been contained in the Weekly Brief, but I don't have a copy of this documentation. Information is also held on HR online which all managers and staff can access at any time. NHS Lothian has also just been awarded the Equally Safe at Work Development award and will now be working towards our Bronze Award. As part of this work, further information has been placed on the Intranet for Managers and staff and this can be found at the following link - [Equally Safe at Work](#) The Annual Equality and Diversity Conference this year, which is open to all managers and staff also had a focus on Sexual Harassment, as you can see from the attached programme.

Question:

4. Details of the policies, procedures, reporting channels, and guidance available to staff for reporting sexual misconduct or harassment, including any mechanisms that allow reports to be made anonymously or confidentially.

Answer:

In terms of reporting, this would be reported under the Bullying and Harassment Policy as noted above. In addition, NHS Lothian also has a confidential Speak Up Service that any member of staff can contact and ask for advice and signposting. This would be another source for a member of staff who believes that they are being subjected to sexual harassment. Details of the Speak Up Service can be found at the following link - [Speak Up](#)

I hope the information provided helps with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/Appeal. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

If you require a review of our decision to be carried out, please write to the FOI Reviewer at the email address at the head of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhsllothian.scot/FOI/Pages/default.aspx>

Yours sincerely

ALISON MACDONALD
Executive Director, Nursing
Cc: Chief Executive