

30 August 2016

Private & Confidential

Mr Lewis

request-349650-f6ec8762@whatdotheyknow.com



Dear Mr Lewis

FOI Request – Bullying in Midlothian Council
Ref F/8335

I refer to your request for information under the Freedom of Information Act (Scotland) 2002.

The information you requested for the period 1 April 2009 to 31 December 2015, with the answers provided in bold is as follows. *(Please note, there are no statistics available prior to 2011/12).

- 1) How many official complaints of harassment and bullying at work did you receive between the 1st April 2009 and the 31st December 2015*?

40

- 2) How many of these complaints were upheld in favour of the complainant?

16

- 3) How many of those which were not upheld in favour of the complainant went on to Appeal?

3

- 4) How many of those that went to Appeal were found to favour the complainant?

1 (two appeals withdrawn)

- 5) How many complaints went on to an Employment Tribunal?

1

- 6) How many of these were found to uphold the complaint?

1

7) Out of how many of those allegations (the number given to question 1) did the complainant of bullying claim that the bullies were telling lies?

Information held does not provide the detail required to answer this question.

8) How many staff does your authority have and what is the current population within your authority's area?

Number of employees = 4377

Population = 87,390 (2015 figure provided by the National Records of Scotland)

I trust that this information will be useful to you. Please do not hesitate to contact me should you require any further information.

Details of our complaints procedures are attached.

Yours sincerely



Elaine Aitken
HR Advisor
Elaine.aitken@midlothian.gov.uk

FURTHER INFORMATION:

Midlothian Council's Complaints Procedure under the FOISA:

An applicant who is dissatisfied with the way in which Midlothian Council has dealt with his/her request for information under Section 1(1) of the FOISA may, by virtue of Section 20 of the FOISA, require Midlothian Council to review its actions and decisions in relation to that request.

If you wish Midlothian Council to review its actions and decisions with respect to your request for information, you should write to the Director or other official whose name is printed at the top of this letter. That official will arrange for your application for review to be considered. Thereafter he will write to you informing you of the decision by not later than twenty working days after receipt of your request requiring that a review be made. By virtue of Section 21 of the FOISA, you will be provided with a statement of reasons for arriving at the decision made.

Please note that any such request for review must reach Midlothian Council by no later than 40 working days after the time allowed for complying with your original request.

Requests for review must be in writing (or in another form which has some permanency and is capable of being used for subsequent reference eg audio/video tape recording). You must:-

- state your name and address for correspondence;
- give details of the information which you originally requested from Midlothian Council; and
- state the reason(s) why you are dissatisfied with the way in which your application for information has been dealt with.

Your Right to Complain to the Scottish Information Commissioner:

Under Section 47 of the FOISA, a person who is dissatisfied with the outcome of their request for review by the Council may apply to the Scottish Information Commissioner to determine whether their request (or any part of it) has been properly dealt with.

An application to the Scottish Information Commissioner must be made in writing (or in another form having some permanency eg audio/video tape recording) within six months of receipt of the notice advising of the outcome of the Council's review. The applicant must specify:-

- a) his/her name and address for correspondence;
- b) the request for information to which the requirement for review by Midlothian Council related;

- c) the matter which gave rise to the applicant's dissatisfaction with the way in which Midlothian Council dealt with their original request; and
- d) the matter which gives rise to the applicant's dissatisfaction relating to the review by Midlothian Council.

The Scottish Information Commissioner can be contacted at:-

Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews,
Fife,

KY16 9DS

(Telephone – 01334 464610; Fax - 01334 464611;

Email – enquiries@itspublicknowledge.info)

