

Freedom of Information request reference number: 6479.1

Date of response: 05 May 2022

Request:

1. *a) How many personnel are currently under investigation within London Fire Brigade for allegations of sexism, misogyny and harassment (of any kind including inappropriate physical touching, sexual assault, and stalking and harassment) as well as domestic abuse or online abuse). Please separate by gender.*

b) How many personnel at all levels have been under investigation in the last three years for allegations of sexism, misogyny and harassment (of any kind including inappropriate physical touching, sexual assault, and stalking and harassment) as well as domestic abuse or online abuse). Please separate these by gender.
2. *How many serving personnel have, in the last three years, made allegations of sexism, misogyny and harassment (of any kind including inappropriate physical touching, sexual assault and stalking and harassment) as well as domestic abuse or online abuse) against other personnel (serving, retired or historical) within the fire service (including potentially other services outside London Fire Brigade). Please include personnel at all level. Please separate these by gender.*
3. *What training do serving personnel receive for awareness of sexism and misogyny - including sexual assault, stalking and harassment and domestic abuse, who is this delivered by and how much does it cost?*
4. *Where can the public find policies and procedures relevant to the above including whistleblowing, inappropriate conduct, and bullying and harassment?*
5. *What procedures do you follow to protect personnel when they make or receive allegations of sexism, misogyny and harassment within the organisation? If these include welfare checks please include the method and frequency of such checks.*
6. *How many personnel have faced disciplinary proceedings in the last three years for allegations of sexism, misogyny and harassment (of any kind including inappropriate physical touching, sexual assault and stalking and harassment) as well as domestic abuse or online abuse). Please include personnel at all levels. Please separate these by gender.*
7. *How many personnel have been dismissed from London Fire Brigade in the last three years following allegations of sexism, misogyny and harassment (of any kind including inappropriate physical touching, sexual assault and stalking and harassment) as well as domestic abuse or online abuse). Please separate these by gender.*
8. *How many serving personnel have recorded that their mental health is being impacted as a result of being on the receiving end of allegations of sexism, misogyny and harassment (of any kind including inappropriate physical touching, sexual assault and stalking and harassment) as well as domestic abuse or online abuse). Please separate these by gender.*
9. *What process is followed to protect serving personnel from online abuse, eg received via social media*
10. *Who is responsible for all of the above (ie the prevention, training and awareness of sexism, misogyny and harassment).*

Response:

For your questions 1a-b, 2 and 6:

The LFB do not hold this information in an easily accessible format.

We do not have a specific categories of '*sexism, misogyny, inappropriate physical touching, sexual assault, stalking, domestic abuse or online abuse*' recorded within the LFB disciplinary system.

We can break down cases into certain categories for reporting purposes. Categories on the disciplinary system include:

Assault, etc.
Breach Auth Pol/Proc
Breach of CoPUC
Breach of H&S regs
Bring Auth. Disreput
Criminal Charge/Conv
Damage Auth Equip
F Drug/Alc Test/Proc
Fail Notify Crim.
Fail/refuse LMI
Financial irregular.
Fraud
Harassment, etc.
Inap. Behaviour
Lateness
Misuse Auth Facil's
Negligence

You will see we do have a category for 'Assault, etc' and 'Harassment, etc' but these are not broken down further into sub categories.

The categories are chosen by the individual HR Adviser dealing with the case. It is possible that allegations of '*sexism, misogyny, inappropriate physical touching, sexual assault, stalking, domestic abuse or online abuse*' could be recorded under 'inappropriate behaviour', 'assault', 'Harassment, etc' or one of several of the other categories, depending on the nature of the complaint. The only way to confirm would be to check each individual record and review the allegations.

The outcome of all discipline (conduct or performance) cases are published online via the London Datastore. This information can be accessed via the following link to the LFB HR Statistical Abstract:

<https://data.london.gov.uk/dataset/hr-statistical-abstract?q=hr>

Every case in the discipline and grievance categories would need to be reviewed to gather the specific information you have requested. Due to the way our systems are set up and the data is held, our People Services Department consider this would be a lengthy exercise, likely to take at least some time to complete. For each case, the detail we need to respond to your request would be held in individual record files. You will see from the HR Statistical Abstract published online that, between 2019 and 2021, there were 348 disciplinary/grievance cases recorded. As such we would have to manually review these 154 discipline and 194 grievance records (348 records in total) as we do not hold the information you asked for in a searchable database.

The only way to identify each case where '*sexism, misogyny, inappropriate physical touching, sexual assault, stalking, domestic abuse or online abuse*' was the subject of the discipline/grievance would exceed the relevant time limit set out under the FOIA. This 'fees limit' is calculated by taking the cost limit appropriate to the Brigade (i.e. £450) divided by the standard rate at which a local authority (including the Brigade) can charge for this work (£25 an hour). This equates to 18 hours.

Using an average of 10 minutes for each discipline/grievance record (348 cases), it will take 58 hours (10 minutes times 348 discipline/grievance cases, divided by 60 minutes equals 58 hours) to review all of the relevant records. I therefore

confirm that the cost of providing the information you have requested for this part of your request is in the cost range of £1,450 which is greater than the "appropriate limit" of £450 as defined the FOIA fee regulations. In setting this out in full this now serves as a formal 'refusal notice' based on [section 12 of the FOIA – 'Exemption where cost of compliance exceeds appropriate limit'](#). If the cost exceeds the appropriate limit to comply with a request, a public authority is not obliged to comply with it.

If you are able to further refine this part of your request, please get in touch. However, please bear in mind, of course, that little of the data you are seeking is held in a structured way (e.g. in a single database) so a manual search of relevant records is likely to be required.

For question 3:

Whilst there is no specific training course covering these areas, there are a number of general diversity and inclusion training/briefings/interventions in addition to policies which set out expected standards of behaviour, e.g. harassment complaints procedure, discipline procedure, [Togetherness policy](#). All staff are able to access advice, support and guidance from the Brigade's employee support groups for concerns regarding these and other areas.

For question 4 and 5:

A recently published FOI response provides some information on prevention policies: https://www.london-fire.gov.uk/media/6297/62381_foi-response.pdf

The LFB policy number 0569 - Confidential Reporting can be accessed via the following link: <https://www.london-fire.gov.uk/media/6191/pn569-241221.pdf>

Other complaints can be raised on the LFB website via the following link: <https://www.london-fire.gov.uk/about-us/compliments-and-complaints/>

There is also a new initiative the LFB will take part in MPS led Operation Hampshire, when staff are subjected to either physical or mental assault whilst carrying out the function of an emergency worker: <https://www.london-fire.gov.uk/media/6226/20211216-lfc0640-assaultonemergencyworkersoperationhampshire.pdf>

The Brigade has a Harassment Complaints Procedure and a manual log is made of all complaints raised in accordance with this policy. Complaints are subject to an initial review to determine what (if any) action is required in accordance with this or any other Brigade policy or procedure. A serious complaint of harassment is likely to be considered under the disciplinary procedure. I have attached an extract from the LFB discipline policy to this response which explains the three stages of the process.

For question 7:

We have recently published a FOI response relating to gross misconduct cases, including the reasons recorded for dismissal. This response can be accessed via the following link:

https://www.london-fire.gov.uk/media/6299/63171_foi-response.pdf

For question 8:

The LFB have recently published a FOI response which includes the total amount of individuals off work due to 'Stress / anxiety / depression' for the last three years: <https://www.london-fire.gov.uk/media/6548/foia-64411-response.pdf>

There is no automated way to search if any of these 698 cases recorded in last three years are *being impacted as a result of being on the receiving end of allegations of sexism, misogyny and harassment*. A manual search of the sickness records for each of these individuals would have to be performed to see if the information you have requested to retrieve and extract the information. It is not unreasonable to expect that this would also exceed the relevant time limit set out under the FOIA. This 'fees limit' is calculated by taking the cost limit appropriate to the Brigade (i.e. £450) divided by the standard rate at which a local authority (including the Brigade) can charge for this work (£25 an hour). This equates to 18 hours.

Even if they used an average of seven minutes for each sickness record (698 cases), it will take 81 hours (seven minutes

times 698 records, divided by 60 minutes equals 81 hours) to review all of the relevant records, retrieve and extract the information. I therefore confirm that the cost of providing the information you have requested is in the cost range of £2,000 which is greater than the "appropriate limit" of £450 as defined the FOIA fee regulations. In setting this out in full this now serves as a formal 'refusal notice' based on [section 12 of the FOIA – 'Exemption where cost of compliance exceeds appropriate limit'](#). If the cost exceeds the appropriate limit to comply with a request, a public authority is not obliged to comply with it.

For question 9:

The Brigade has a Social Media Policy (PN944), which sets out expected behaviours in relation to Social Media use and the consequences should these standards not be adhered to. Any reports of online abuse (by serving employees) will be considered and investigated, as appropriate.

For question 10:

It is the responsibility of all staff to adhere to expected standards of behaviour. The responsibility for diversity and inclusion is within the remit of the Assistant Director People Services.

We have dealt with your request under the Freedom of Information Act 2000. For more information about this process please see the guidance we publish about making a request on our website: <https://www.london-fire.gov.uk/about-us/transparency/request-information-from-us/>

London Fire Brigade

Extract from Disciplinary Policy (policy 392a)

First formal stage

6 An employee's line manager, at sub/stn officer/FRS C/operations manager level or above, may initiate the disciplinary process and investigate. Where, following a disciplinary meeting, the employee is found guilty of misconduct; the usual first step would be to give them a warning.

7 A warning must give details and an explanation of the decision. It should warn the employee that failure to improve or modify behaviour may lead to further disciplinary action and advise them of their right of appeal. A warning should be disregarded for disciplinary purposes after six months.

8 Where the issue is one of unsatisfactory performance, please refer to the guidance.

9 A warning may only be given to an employee by a manager at station commander/FRS D/operations manager level or above.

Second formal stage

10 Where there is a failure to improve or change behaviour in the timescale set at the first formal stage, or where the offence is sufficiently serious, the sanction may be no greater than a final written warning. This sanction may only be issued after a further investigation and hearing.

11 A final written warning must give details and an explanation of the decision. It should warn the employee that failure to improve or modify behaviour may lead to dismissal or to some other sanction and advise them of their right of appeal. A final written warning should be disregarded for disciplinary purposes after eighteen months. Where a lesser sanction is issued, the same right of appeal applies.

12 A final written warning may only be given to an employee by a manager at group commander/FRS E/senior operations manager level (or equivalent) or above.

Third formal stage

13 Where employees continually fail to improve or where the offence is sufficiently serious, there should be an investigation and hearing. The sanctions available may include dismissal.

Alternatively, the outcome may be a sanction less than dismissal (see Guidance for details). Employees must be told they have the right to appeal and details of the appeals process.

14 Any sanction up to dismissal may only be given to an employee at deputy assistant commissioner/FRS G/principle operations manager level or higher.