

Date: 06/07/2016

FREEDOM OF INFORMATION REQUEST FOI/012857 – Compromise agreements

Please advise in relation to the 5 years between January 2011 and December 2015 inclusive:

1) How many compromise agreements has the Trust entered into with staff or former staff? Please include all COT3 agreements in this figure.

Please refer to the Trust Annual Reports under the following link: <http://dudleygroup.nhs.uk/aboutus/publications/annual-report/> . Section 8.6 details all compensation schemes and exit packages. The Annual Report for 2015/2016 is due to be published shortly.

2) How many of these compromise agreements require staff members not to disclose the existence of the compromise agreement itself?

The Trust is unable to provide this information as this is not held in a centralised electronic reporting system. This information is held on personal files which are not accessible under the Freedom of Information Act under exemption Section 40 Personal information.

3) How many of these compromise agreements contain non-disparagement clauses that require staff members not to criticise the employees of the Trust?

The Trust is unable to provide this information as this is not held in a centralised electronic reporting system. This information is held on personal files which are not accessible under the Freedom of Information Act under exemption Section 40 Personal information.

4) How many of these compromise agreements were entered into by the Trust with staff who had previously made public interest disclosures, (whether or not these were raised by formally invoking the Trust's whistleblowing policy)?

The Trust is unable to provide this information as this is not held in a centralised electronic reporting system. This information is held on personal files which are not accessible under the Freedom of Information Act under exemption Section 40 Personal information.

5) If staff who have entered into a compromise agreement with the Trust were to voice concerns about reprisal by the Trust for whistleblowing, would the Trust consider this to be an actionable breach of nondisparagement clauses, or would it consider the raising of such concerns to be qualifying disclosures under PIDA?

The question above is a hypothetical question. The Trust is unable to answer this question under FOI as the information requested is not held.