

Tribunals, Claims, Non-Disclosure Agreements

Reference Number: RDF1744-23

Date of Response: 29/08/23

Further to your Freedom of Information Act request, please find the Trust's response(s) below:

Please be aware that the Royal Devon University Healthcare NHS Foundation Trust (Royal Devon) has existed since 1st April 2022 following the integration of the Northern Devon Healthcare NHS Trust (known as Northern Services) and the Royal Devon and Exeter NHS Foundation Trust (known as Eastern Services).

Between 2017 and 2023 (or the latest available date), please provide yearly figures for the below:

- 1) The number of employment tribunal claims made by members of staff against the trust each year.*
- 2) The number of employment tribunal claims in which the trust was the losing party.*
- 3) How much the trust has paid in compensation each year following employment tribunals.*
- 4) The number of non-disclosure agreements (to also include terms such as settlement agreements, confidentiality agreements, etc.) between the trust and members of staff each year, including full- and part-time employees, agency, interim and contracted staff.*
- 5) How much has been spent on non-disclosure agreements (to also include terms such as settlement agreements, confidentiality agreements, etc.) between the trust and members of staff each year, including full- and part-time employees, agency, interim and contracted staff.*

Answer: Please see table below:

Please note that in respect of all settlements were there were confidentiality provisions, these provisions comply with employment law and best practice. In particular, the provisions do not prevent an employee or former employee making protected disclosures or from reporting wrongdoing.

Please also note: - * <5 - Section 40 (2) of the Freedom of Information Act 2000, In accordance with Section 40 (2) of the Freedom of Information Act 2000, we are unable to provide figures where the number of staff is less than or equal to five and could risk the identification of those staff. Release into the public domain may cause distress to those staff who are able to recognise themselves from the reports. As such release of the information would be likely to cause distress to the individuals concerned. This would breach Caldicott principles. In these cases, ≤5 is used to indicate that a figure between 1 and 5 is being suppressed. This follows NHS Digital (formerly HSCIC) analysis guidance (2014) which states that small numbers within local authorities, wards, postcode districts, CCG's providers and Trusts may allow identification of staff and should not be published.

Year	The number of employment tribunal claims made by members of staff against the trust each year.	The number of employment tribunal claims in which the trust was the losing party.	How much the trust has paid in compensation each year following employment tribunals.	The number of non-disclosure agreements (to also include terms such as settlement agreements, confidentiality agreements, etc.) between the trust and members of staff each year, including full- and part-time employees, agency, interim and contracted staff.	How much has been spent on non-disclosure agreements (to also include terms such as settlement agreements, confidentiality agreements, etc.) between the trust and members of staff each year, including full- and part-time employees, agency, interim and contracted staff.
2017	5	*<5	£9,276.18	5	£43,462.61
2018	*<5	0	£0	10	£13,500 – settlement of claims without judgment £25,500 settlement payments under Settlement Agreements £53,436.44 in lieu of contractual entitlements
2019	0	0	£0	6	£18,968.05 settlement payments under Settlement Agreements £20,052.64 in lieu of contractual entitlements
2020	*<5	0	£0	8	£43,387.50 settlement of claims without judgment £30,089.89 in lieu of contractual entitlements
2021	*<5	*<5	£34,000	*<5	£27,480 settlement of claims without judgment
2022	*<5	0	£0	7	£747.30 settlement of claims without judgment £41,030.82 in lieu of contractual entitlements
2023 - to date-	6	0	£0	8	£8,834.92 in lieu of contractual entitlements