

## Freedom of Information Act 2000 disclosure log entry

### Reference

19-20297

### Date sent

10/12/19

### Subject

Compromise Agreements 2013-2019

### Details of enquiry

1. Please advise how many compromise agreements the trust has entered into since 1 April 2013.
2. Can the trust confirm that it adopted the NHS policy of inserting a clause into compromise agreements to make it clear that workers or former workers are not prevented by compromise agreements from making public interest disclosures?
3. If so, when did the trust adopt this policy?
4. How many of the compromise agreements reached by the trust since 1 April 2013 contained a clause which made it clear that the worker or former worker in question was not prevented by the agreement from making public interest disclosures?
5. If the trust has inserted such a clause into its compromise agreements, please provide a copy of the relevant clause.

### Response Sent

1. Please advise how many compromise agreements the trust has entered into since 1 April 2013.  
**The Trust has entered in to 40 settlement agreements since 01 April 2013.  
Of those 40, 20 related to voluntary severance schemes / mutually agreed resignation schemes**
2. Can the trust confirm that it adopted the NHS policy of inserting a clause into compromise agreements to make it clear that workers or former workers are not prevented by compromise agreements from making public interest disclosures?  
**We can confirm that the Trust has adopted this policy.**
3. If so, when did the trust adopt this policy?  
**From reviewing the settlement agreements, we can confirm they have existed going back to 2007 which is the earliest agreement which can be located.**
4. How many of the compromise agreements reached by the trust since 1 April 2013 contained a clause which made it clear that the worker or former worker in question was not prevented by the agreement from making public interest disclosures?  
**All of them.**
5. If the trust has inserted such a clause into its compromise agreements, please provide a copy of the relevant clause.
  - 1.1 **For the avoidance of doubt, nothing in this Agreement shall prevent you disclosing information:**

- 1.1.1 pursuant to any order of any Court of competent jurisdiction; or
  - 1.1.2 which has come into the public domain otherwise than by a breach of confidence by you or on your behalf.
- 1.2 Equally, nothing in this Agreement, including but not limited to clauses 11, 13 and 14, shall prejudice any rights that you have or may have under the Public Interest Disclosure Act 1998 ("PIDA") (or any other enactment which PIDA amends) and/or any obligations that you have or may have to raise concerns about patient safety and care with regulatory and other appropriate statutory bodies pursuant to your professional and ethical obligations including those obligations set out in guidance issued by regulatory or other appropriate statutory bodies from time to time