

Information Governance Department
First Floor, South Wing
St Thomas' Hospital
Guy's and St Thomas' NHS Foundation Trust
Westminster Bridge Road
London SE1 7EH

Telephone: 020 7188 7525
Email: foi@gstt.nhs.uk

21st March 2016

By email: minhalexander@aol.com

Dear Dr Alexander,

Re: FREEDOM OF INFORMATION REQUEST: 53147

Thank you for your request for information under the Freedom of Information Act 2000 dated 18th January. Please find below the response to your Freedom of Information request to Guy's and Thomas' NHS Foundation Trust.

You may use and re-use this information (except for logos) under the terms of the Open Government Licence ^[1], either Version 3.0 or (at your option) any later version. If you would prefer to receive the information in an alternative electronic format, please let us know.

Please can you advise me in regards to the last 5 years:

- 1) *How many compromise agreements has the Trust entered into with staff or former staff?*

The Trust has entered into fifty compromise agreements.

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

All of the compromise agreements contain standard wording regarding confidentiality. Furthermore, there is an explicit reference stating that nothing in the settlement agreement prevents staff from raising a matter of concern (whistleblowing).

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

Compromise agreements used by the Trust do not contain non-disparagement clauses.

- 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)?*

Two compromised agreements were entered into by the Trust with staff who had previously made public interest disclosures.

- 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 a breach of non-disparagement clauses, or would it consider the raising of such concerns to be qualifying disclosures under PIDA?*

Please see the response to question 3, however, the legislation relating to PIDA means that compromise agreements do not prejudice a claimant's right to raise matters under PIDA.

- 6) *Of the compromise agreements that the Trust has entered into, how many were entered into after June 2011? Of the compromise agreements entered into by the Trust after June 2011, how many related to cases where staff had previously made public interest disclosures?*

The Trust entered forty seven compromise agreements after June 2011. Four compromised agreements were related to staff who had previously made public interest disclosures.

- 7) *What is the ethnicity breakdown of the staff with whom the trust entered into compromise agreements?*

Ethnicity of employee	TOTAL
White British	14
White - any other white background	1
Mixed - any other mixed background	1
Asian or Asian British - Indian	6
Asian or Asian British - any other Asian background	2
Black or Black British - Caribbean	2
Black or Black British - African	8
Black or Black British - Any other Black Background	1
Black Unspecified	1
None recorded	8
Not stated	5
Other Specified	1
Grand Total	50

Please let us know if you require more details or further clarification. You can find out more about the Trust and our publication scheme at our website ^[2].

If you are unhappy with our response, please use our FOI review process by contacting foi@gstt.nhs.uk or writing to:

Access to Information Manager (FOI Review)
 Information Governance
 1F South Wing
 St Thomas' Hospital
 Westminster Bridge Road
 London SE1 7EH

Please be aware that reviews will not be conducted via public forum, and we will require your name and contact address in order to respond

If you remain dissatisfied after a review, you have the right under s50 of the Act to apply to the Information Commissioner's Office for a decision. Further details about this and the Act can be found on their website ^[3].

Yours sincerely,

A handwritten signature in black ink that reads "Ann Macintyre" followed by a stylized flourish.

Ann Macintyre,
Director of Workforce and Organisational Development

[1] <http://www.nationalarchives.gov.uk/doc/open-government-licence/>

[2] <http://www.guysandstthomas.nhs.uk/about-us/publications/foi/freedom-of-information.aspx>

[3] <http://www.ico.org.uk>