

FOI_1275_2023-24 – FOI Request Concerning – Employment Tribunals/Non-disclosure Agreements

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.

Year	Total
2017/18	1
2018/19	0
2019/20	2 **
2020/21	0
2021/22	0
2022/23	3
2023/24	1

2. The number of employment tribunal claims in which the trust was the losing party

Year	Trust Lost
2017/18	0
2018/19	0
2019/20	0
2020/21	0
2021/22	0
2022/23	0
2023/24	0

3. How much the trust has paid in compensation each year following employment tribunals.

Year	Total Compensation
2017/18	0
2018/19	0
2019/20	0
2020/21	0
2021/22	0
2022/23	0
2023/24	0

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.

Year	Total NDA
2017/18	0 SA
2018/19	0 SA
2019/20	1 SA
2020/21	0 SA
2021/22	0 SA
2022/23	1 SA
2023/24	0 SA

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.

Year	Cost of NDA*
2017/18	0
2018/19	0
2019/20	23,200
2020/21	0
2021/22	0
2022/23	4500
2023/24	12,000** (1 claim)

Year	Total	Trust Lost	Total Compensation	Total NDA	Cost of NDA*
2017/18	1	0	0	0 SA	0
2018/19	0	0	0	0 SA	0
2019/20	2 **	0	0	1 SA	23,200
2020/21	0	0	0	0 SA	0
2021/22	0	0	0	0 SA	0
2022/23	3	0	0	1 SA	4500
2023/24	1	0	0	0 SA	12,000** (1 claim)

*NDAs are used when employees have access to confidential information, including trade secrets, proprietary processes, client information and lists, marketing strategies, and any other valuable or sensitive information. This would not be accompanied by a financial payment.

We have NDAs currently in place for our Executive and Non-Executive Directors, plus third-party colleagues who may undertake work on behalf of the Board. These are not broken-down year-by-year. This is a legally binding agreement to ensure confidentiality is maintained around all Trust matters discussed.

** this case and amount are linked despite SA payment not falling within same year as claim was initially made.

Information source available:

- https://www.solent.nhs.uk/media/3098/foi_0409_disclosure.pdf
- <https://www.solent.nhs.uk/media/4409/annual-report-final-accounts-22-23-combined-final-230705.pdf>
- <https://www.solent.nhs.uk/media/3852/solent-nhs-trust-annual-report-2021-22-full-version.pdf>
- <https://www.solent.nhs.uk/media/3025/final-combined-annual-report-2020-21.pdf>