

Freedom of Information Request

Ref: 23-558

24 August 2023

By Email

Dear Sir/Madam

Thank you for your request for information under the Freedom of Information Act 2000. The Trust's response is as follows:

- We can confirm that we do hold the information you are requesting

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.

From 2017 to 2019, due to the lack of a case management system, we were unable to log our employment tribunal claims electronically. Please note, the Trust does not hold the data in a format that would enable us to fully respond to your request to the level of detail required and a manual trawl for this information would significantly exceed the 18 hours limit set down by the FOI as the reasonable limit. Section 12 of the FOIA provides that we are not obliged to spend in excess of 18 hours in any sixty-day period locating, retrieving and identifying information in order to deal with a request for information and therefore we are withholding this information at this time.

From 2019 onwards, please see the table below:

Year	Tribunal Notifications
2019/2020	*
2020/2021	*
2021/2022	*
2022/2023	7

2023/2024	*
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Please note: Where the figures are between 1 and 5, this has been denoted by *. Due to the low numbers, we have considered that there is the potential for individuals to be identified from the information provided, when considered with other information that may also be in the public domain. In our view disclosure of these low figures would breach one of the Data Protection Principles set out in Schedule 1 of the Data Protection Act, namely Principle 1. The Trust therefore finds that the Section 40(2) exemption contained within the Freedom of information Act 2000 is engaged. This follows NHS Digital (formerly HSCIC) analysis guidance (2014) which states that small numbers within local authorities, wards, postcode districts, providers and Trusts may allow identification of patients and should not be published.

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

From 2017 to 2019, due to the lack of a case management system, we were unable to log our employment tribunal claims electronically. Please note, the Trust does not hold the data in a format that would enable us to fully respond to your request to the level of detail required and a manual trawl for this information would significantly exceed the 18 hours limit set down by the FOI as the reasonable limit. Section 12 of the FOIA provides that we are not obliged to spend in excess of 18 hours in any sixty-day period locating, retrieving and identifying information in order to deal with a request for information and therefore we are withholding this information at this time.

From 2019 onwards, please see the table below:

Year	Proceeded to hearing/ alternative outcome
2019/2020	Unknown
2020/2021	*
2021/2022	*
2022/2023	*
2023/2024	*

Please note: Where the figures are between 1 and 5, this has been denoted by *. Due to the low numbers, we have considered that there is the potential for individuals to be identified from the information provided, when considered with other information that may also be in the public domain. In our view disclosure of these low figures would breach one of the Data Protection Principles set out in Schedule 1 of the Data Protection Act, namely Principle 1. The Trust therefore finds that the Section 40(2) exemption contained within the Freedom of information Act 2000 is engaged. This follows NHS Digital (formerly HSCIC) analysis guidance (2014) which states that small numbers within local authorities, wards, postcode districts,

providers and Trusts may allow identification of patients and should not be published.

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

Please note, the Trust does not hold the data in a format that would enable us to fully respond to your request to the level of detail required and a manual trawl for this information would significantly exceed the 18 hours limit set down by the FOI as the reasonable limit. Section 12 of the FOIA provides that we are not obliged to spend in excess of 18 hours in any sixty-day period locating, retrieving and identifying information in order to deal with a request for information and therefore we are withholding this information at this time.

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.

We are able to obtain this information however we have decided to apply **Section 21** of the FOIA as this information is reasonably accessible in the public domain on the following links on the Trust's website:

[annual report 2017-18 final for web.pdf \(uhbristol.nhs.uk\)](https://uhbristol.nhs.uk/annual-report-2017-18-final-for-web.pdf)

[university hospitals bristol nhs foundation trust annual report and accounts 2018-19.pdf \(uhbristol.nhs.uk\)](https://uhbristol.nhs.uk/university-hospitals-bristol-nhs-foundation-trust-annual-report-and-accounts-2018-19.pdf)

[uhb annual report and accounts - final.pdf \(uhbw.nhs.uk\)](https://uhbw.nhs.uk/uhb-annual-report-and-accounts-final.pdf)

[uhbw annual report 2020-21 final version for website.pdf](https://uhbw.nhs.uk/uhbw-annual-report-2020-21-final-version-for-website.pdf)

[university hospitals bristol and weston nhs foundation trust annual report 2021-22 combined web.pdf \(uhbw.nhs.uk\)](https://uhbw.nhs.uk/university-hospitals-bristol-and-weston-nhs-foundation-trust-annual-report-2021-22-combined-web.pdf)

[final uhbw annual report and accounts 2022-23 for parliament.pdf](https://uhbw.nhs.uk/final-uhbw-annual-report-and-accounts-2022-23-for-parliament.pdf)

Section 21 of the FOIA provides that we are not obliged to provide the requested information is already reasonably accessible and therefore we are withholding this information at this time.

Please note that University Hospitals Bristol merged with Weston Area Health Authority in April 2020 - the above links only include Weston General Hospital from 2020/2021

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.

We are able to obtain this information however we have decided to apply **Section 21** of the FOIA as this information is reasonably accessible in the public domain on the following links on the Trust's website:

[annual report 2017-18 final for web.pdf \(uhbristol.nhs.uk\)](https://uhbristol.nhs.uk/annual-report-2017-18-final-for-web.pdf)

[university hospitals bristol nhs foundation trust annual report and accounts 2018-19.pdf \(uhbristol.nhs.uk\)](https://uhbristol.nhs.uk/university-hospitals-bristol-nhs-foundation-trust-annual-report-and-accounts-2018-19.pdf)

[uhb annual report and accounts - final.pdf \(uhbw.nhs.uk\)](https://uhbw.nhs.uk/uhb-annual-report-and-accounts-final.pdf)

[uhbw annual report 2020-21 final version for website.pdf](https://uhbw.nhs.uk/uhbw-annual-report-2020-21-final-version-for-website.pdf)

[university hospitals bristol and weston nhs foundation trust annual report 2021-22 combined web.pdf \(uhbw.nhs.uk\)](https://uhbw.nhs.uk/university-hospitals-bristol-and-weston-nhs-foundation-trust-annual-report-2021-22-combined-web.pdf)

[final uhbw annual report and accounts 2022-23 for parliament.pdf](https://uhbw.nhs.uk/final-uhbw-annual-report-and-accounts-2022-23-for-parliament.pdf)

Section 21 of the FOIA provides that we are not obliged to provide the requested information is already reasonably accessible and therefore we are withholding this information at this time.

Please note that University Hospitals Bristol merged with Weston Area Health Authority in April 2020 - the above links only include Weston General Hospital from 2020/2021

This concludes our response. We trust that you find this helpful, but please do not hesitate to contact us directly if we can be of any further assistance.

If, after that, you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Data Protection Officer
University Hospitals Bristol and Weston NHS Foundation Trust
Trust Headquarters
Marlborough Street
Bristol
BS1 3NU

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Publication

Please note that this letter and the information included/attached will be published on our website as part of the Trust's Freedom of Information Publication Log. This is because information disclosed in accordance with the Freedom of Information Act is disclosed to the public, not just to the individual making the request. We will remove any personal information (such as your name, email and so on) from any information we make public to protect your personal information.

To view the Freedom of Information Act in full please click [here](#).

Yours sincerely

Freedom of Information Team
University Hospitals Bristol and Weston NHS Foundation Trust