

Ref no: 142181119
From: Commercial
Date: 18/11/19
Subject: Compromise agreements

REQUEST & RESPONSE

1. Please advise how many compromise agreements the trust has entered into since 1 April 2013.

HR Response: The Trust has entered into less than 5 Compromise Agreements 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?

HR Response: Yes.

3. If so, when did the Trust adopt this policy?

HR Response: The legislation was introduced as part of the Enterprise and Regulatory Reform Act 2013 and in all relevant primary legislation on 29 July 2013. The Trust has always been compliant with legislation and best practice guidance in this regard.

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?

HR Response: None of our Trust staff are prevented 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.

HR Response:

information

For the avoidance of doubt, nothing in this Agreement shall:

prejudice any rights that the Employee has or may have to make a protected disclosure as defined by the Public Interest Disclosure Act 1998 and the Employment Rights Act 1996 and/or any rights or obligations that the Employee has or may have to raise concerns about patient safety and care with regulatory or other appropriate statutory bodies pursuant to his or her professional and ethical obligations including those obligations set out in guidance issued by regulatory or other appropriate statutory bodies from time to time or prevent the Employer from complying with any duty of public accountability.