



South East Coast Ambulance Service NHS
Foundation Trust
Nexus House
Gatwick Road
Crawley
RH10 9BG

Date 22nd May 2018

Email:

Email:foi@secamb.nhs.uk

Dear,

I am writing in response to your enquiry under the Freedom of Information Act 2000 (FOIA) reference FOI/18/04/31.

You requested the following information, please also see our response below:

A) How many non-disclosure agreements has the authority agreed in each of the calendar years of 2014, 2015, 2016 and 2017? Please provide individual figures per year. Please also provide reasons for the agreements being agreed where possible (e.g. 2 whistleblower complaints). Please provide the total number of NDAs but also the different types of NDA agreements (e.g. whistleblower complaint/ / sexual harassment complaint etc.). Please make clear if the agreements concern commercial companies rather than employees.

As this figure is less than 10 we are unable to provide the exact number as it may be identifiable to individuals

B) Please provide the total amount of financial compensation awarded as part of these agreements for the entirety of this period in £.

The total sum of payments made for compromise agreements from financial year 2014/15 – 2017/18 was £294,018.84. Please note that this sum includes two redundancy sums

Below is a definition if helpful:

"Non-disclosure agreements

Non-Disclosure Agreements is a catch-all term for agreements that include confidentiality clauses – sometimes referred to as gagging clauses.

They are used in employment contracts for a range of purposes including, for example, protecting intellectual property, trade secrets or other confidential information such as customer details.

They are also commonly used in agreements that are reached between employers and employees when employment is terminated (known as settlement agreements).

However, there has also been criticism of their use in sexual harassment cases, with concerns that they may be used to conceal improper, discriminatory or even illegal behaviour or to impede reporting of such behaviour to the proper authorities."

Source:

<https://www.parliament.uk/business/committees/committees-a-z/commons-select/women-and-equalities-committee/news-parliament-2017/sexual-harassment-workplace-evidence-17-191/>

Authorities are duty bound to reveal these agreements under the FOIA, as made clear in this government guidance concerning NDAs.

<https://www.gov.uk/government/publications/non-disclosure-agreements/non-disclosure-agreements>

I hope you find this information of some assistance.

If for any reason you are dissatisfied with our response, kindly in the first instance contact Caroline Smart, Information Governance Manager via the following email address:

FOI@secamb.nhs.uk

Yours sincerely

Freedom of Information Coordinator
South East Coast Ambulance Service NHS Foundation Trust