

FOI REF: 25/293

29th April 2025

Tel: 0300 131 4500
Website: www.esht.nhs.uk

FREEDOM OF INFORMATION ACT

I am responding to your request for information under the Freedom of Information Act. The answers to your specific questions are as follows:

I am writing to request the following information – Please include any available breakdowns by department, staff role, or type of claim where possible.

For the period 1 April 2024 to 31 March 2025:

- 1) **How many Non-Disclosure Agreements (NDAs), also referred to as confidentiality clauses were signed with staff (current or former) by your organisation?**

1.
- 2) **Of those NDAs, how many were part of settlement agreements related to:**
 - a) **Complaints of bullying or harassment.**

0.
 - b) **Complaints of discrimination (on any protected characteristic).**

1.
 - c) **Whistleblowing.**

0.
 - d) **Other reasons (please specify if possible).**

0.

Cont.../

3) What was the total amount of money paid out in settlement agreements that contained NDAs?

I can confirm that we hold this information, but it is exempt under section 40(2) of the Freedom of Information Act 2000 – Personal Information of third parties. This is because this information may allow the identification of individual staff members due to the small number and disclosure would breach the principles of the Data Protection Act.

This is an absolute exemption and there is, therefore, no requirement to consider the public interest.

4) What is the highest individual settlement amount paid in this period as part of a settlement agreement that contained an NDA?

Please see answer to Q3.

If I can be of any further assistance, please do not hesitate to contact me.

Should you be dissatisfied with the Trust's response to your request, you have the right to request an internal review. Please write to the Freedom of Information Department (esh-tr.foi@nhs.net), quoting the above reference, within 40 working days. The Trust is not obliged to accept an internal review after this date.

Should you still be dissatisfied with your FOI request, you have the right of complaint to the Information Commissioner at the following address:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Telephone: 0303 123 1113

Yours sincerely

Freedom of Information Department
esh-tr.foi@nhs.net