



Information Policy & Compliance
bbc.co.uk/foi bbc.co.uk/privacy

S Craig
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7 September 2017

Dear S Craig

Freedom of Information Request - RFI20171195

Thank you for your request under the Freedom of Information Act 2000 (the Act) received on 9th August 2017, seeking the following information:

How many compromise (settlement) agreements did the BBC sign off between 1 April 2016 and 31 March 2017?

As of 29 July 2013, compromise agreements are now called 'settlement agreements'. This response will therefore use the term settlement agreements. In addition, for the purpose of this response, 'settlement agreements' shall include COT3 agreements (an Acas-conciliated agreement which settles an actual or potential Employment Tribunal claim).

Settlement agreements are commonly used by employers in the UK, including the BBC, to record the terms of agreement reached between employer and individual. The reason for entering into a settlement agreement will depend upon the facts of the individual circumstances. The BBC follows normal business practice and uses settlement agreements in order to provide certainty to both parties.

Between 1 April 2016 and 31 March 2017 the BBC entered into 17 settlement agreements with individuals (one of which was a second copy of a settlement agreement which had been entered into in the previous financial year).

Please note:

- this response is limited to UK matters only;
- the information provided is based on the records of the BBC's Employment Law Department. If a settlement agreement has been entered into where the BBC's Employment Law Department has not been involved, or any information has not been recorded in the BBC's Employment Law Department records, this will not be accounted for above

Please note that, as set out in section 6(1)(b)(ii) of the FOI Act, our subsidiaries (including BBC Studios & Post Production Ltd, UKTV, BBC Global News Ltd and BBC Worldwide Ltd), as well as the charities BBC Media Action and BBC Children in Need, are not subject to the Act, therefore information for their personnel is not included in the figures quoted above.

I hope this response satisfies your request.

If you plan to publish or broadcast a story using the information provided in this response please include the following statement from the BBC.

A BBC spokesman said:

“As with other businesses, the BBC uses settlement agreements where appropriate to record the terms of a settlement between the employer and employee such as for protecting its intellectual property – these do not include gagging clauses. The BBC has gone further than most of the public sector when we capped payments at £150,000 in 2013.”

Appeal Rights

If you are not satisfied that we have complied with the Act in responding to your request, you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address above, explaining what you would like us to review and including your reference number. If you are not satisfied with the internal review, you can appeal to the Information Commissioner. The contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, Tel: 0303 123 1113 or see <https://ico.org.uk/>

Yours sincerely

BBC People

