



South Tyneside Council

Date: 19th May 2017
Our Ref: FOI 17 18180

Heather Fagan
request-402439-d79b141e@whatdotheyknow.com

Dear Ms Fagan

Freedom of Information Request

I refer to your Freedom of Information Request received on 21st April 2017

Your request asked for the following information:

Your Request

Please advise how many compromise agreements or similar arrangements with employees (where confidentiality agreements are signed) have been issued by the council in the last year.

Please provide a breakdown detailing the number, the total cost and also the department that the employees were previously employed in.

Council's Response

We can confirm the following information with regards your request above.

I can confirm that the Council does hold all of the information requested, however, the Council has decided not to disclose some of the information requested on the grounds outlined below:-

We are unable to provide details of the departments as this may lead to an individual being recognised. This would be a disclosure of personal data relating to that individual. The information is therefore exempt under Section 40 (2) and 40 (3)(a)(i) of the Freedom of Information Act.

Advice and assistance

Under Section 16 of the Freedom of Information Act we are obliged to provide advice and assistance, where appropriate. Please see figures below

We can confirm that during the year 1st April 2016 – 31st March 2017, the Council entered into 24 Settlement Agreements with its employees, which contained confidentiality clauses regarding the terms of the settlement. The total paid in connection with the above agreements was £388,876.04

I can confirm that the Council does not use what are sometimes referred to as “gagging orders”, which impose a general prohibition on disclosure of any information regarding the authority, in compromise agreements or other arrangements.

Copyright Procedure

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Internal Review Procedure

If you are dissatisfied with the handling of this enquiry you can invoke the Council's internal review procedures to ask for an independent review of your request. All such requests must be sent to us within 4 weeks and must clearly state in writing your reference number and your reasons for your request for internal review.

The Information Governance Team can be contacted at the following address:
Information Governance Team, Town Hall and Civic Buildings, Westoe Road, South Shields, Tyne and Wear, NE33 2RL.

Information Commissioner's Office (ICO)

Should you remain dissatisfied with the final outcome of the internal review process you can write to the Information Commissioner to ask for an independent review. The Information Commissioner is the Government's Independent Body responsible for overseeing the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004.

Please do note the ICO will only review cases that have exhausted the Council's internal review procedures. All correspondence to the ICO must quote the Council's reference number and your reasons for your appeal.

The ICO's contact details are as follows: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF. More information can be found on the ICO's website at www.informationcommissioner.gov.uk.

If you have any further queries about this matter then please do not hesitate to contact us.

Yours sincerely

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Information Governance

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