



Paul Cardin
Via Email
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Communities, Law & Governance
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18 February 2011

Dear Mr Cardin

Re: Your request for information: Ref No. 121921

Thank you for your request for information that was received on 7 January 2011 and your amendment received on 7 February 2011. Please accept our apologies for the delay and any inconvenience occasioned in providing this reply. You requested:

I would like to reduce the scope of the original request as follows:

Please exclude all COT3 Agreements and all compromise agreements drawn up in the following circumstances:

- 1. Purely redundancy situations**
- 2. Purely PILON (pay in lieu of notice) situations**
- 3. Equal pay claims**
- 4. TUPE situations**
- 5. Purely voluntary severance situations**

Further to this, please reduce the time period to the years between 2005 and 2010 i.e. the last six years.

Having considered your request we have estimated that it will cost more than the appropriate limit to consider your request. The appropriate limit is specified in regulations and for local government is set at £450. This represents the estimated cost of one person spending 18 hours in determining whether we hold the information, and locating, retrieving and extracting the information. Consequently, we are not obliged by the Freedom of Information Act 2000 to respond to your request (see section 12(1)).

I am advised that the Council's Legal employment team only maintains a record of settlements reached of Employment Tribunal Claims (either via COT3/compromise agreements/Tomlin orders).

A record of all compromise agreements entered into and held by the Council are not broken down by type of circumstance or claim being compromised. Therefore it would take in excess of the appropriate limit to research our records and compile this information.

However, if you narrow the scope of your request, we may be able to provide the information free of charge because it would cost less than the appropriate limit to do so. For instance if you reduce the categories of information requested; any reformulated request we receive from you will be treated as a fresh FOI request.

In accordance with section 17 of the Freedom of Information Act 2000 this letter acts as a Refusal Notice for the information. requested

If you are unhappy with the service you have received in relation to your request and wish to make an appeal for a review of our decision, please write to the:

Corporate Freedom of Information Officer
The Governance Team (2nd Floor)
PO BOX 64529
London. SE1 5LX
Email: accessinfo@southwark.gov.uk

If you are not content with the outcome your appeal, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have first exhausted our internal appeal procedure and you should contact him within 2 months of the outcome of your internal appeal.

Further information on the Freedom of Information Act is available through the Information Commissioner at the:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire. SK9 5AF
Telephone: 01625 545 700
Internet: www.informationcommissioner.gov.uk

Yours sincerely,

Janet McDonald
Corporate Freedom of Information Officer
Communities, Law & Governance