

Ref: FOIA Reference 2019/20-486

Royal Stoke University Hospital  
Quality, Safety and Compliance Department  
Newcastle Road  
Stoke-on-Trent  
Staffordshire  
ST4 6QG

Date: 6<sup>th</sup> December 2019

Email [foi@uhn.nhs.uk](mailto:foi@uhn.nhs.uk)

Dear

I am writing in response to your email dated 15<sup>th</sup> November 2019 requesting information under the Freedom of Information Act (2000) regarding compromise agreements

As of 1<sup>st</sup> November 2014 University Hospitals of North Midlands NHS Trust (UHNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

**Q1 Please advise how many compromise agreements the Trust has entered into since 1 April 2013.**

A1 UHNM has entered into 75 compromise agreements which includes 61 settlement agreements relating to the MAR Scheme. A MAR Scheme is a form of voluntary severance, designed to enable individual employees, in agreement with their employer, to choose to leave their employment voluntarily in return for a severance payment. The scheme supports employers by creating job vacancies that can be filled by redeployment of staff from other jobs or as a suitable alternative for those facing redundancy.

**Q2 Can the Trust confirm that it adopted the NHS policy of inserting a clause into compromise agreements to make it clear that workers or former workers are not prevented by compromise agreements from making public interest disclosures?**

A2 Confirmed

**Q3 If so, when did the Trust adopt this policy?**

A3 2013

**Q4 How many of the compromise agreements reached by the Trust since 1 April 2013 contained a clause which made it clear that the worker or former worker in question was not prevented by the agreement from making public interest disclosures?**

A4 All of them

**Q5 If the Trust has inserted such a clause into its compromise agreements, please provide a copy of the relevant clause.**

A5 Please see below:

*“For the avoidance of doubt, nothing in this Agreement shall prejudice any rights that the Employee has or may have under the Employment Rights Act 1996 as amended by the Public*

*Interest Disclosure Act 1998 and/or any obligations that the Employee has or may have to raise concerns about patient safety and care with regulatory or other appropriate statutory bodies pursuant to his professional and ethical obligations including (but not limited to) those obligations set out in guidance issued by regulatory or other appropriate statutory bodies from time to time”.*

\*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

***UHNM NHS Trust is a public sector body and governed by EU law. FOI requestors should note that any new Trust requirements over the EU threshold will be subject to these regulations and will be advertised for open competition accordingly.***

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An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

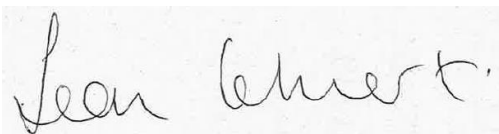
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via [www.ico.org.uk](http://www.ico.org.uk).

If following review of the responses I can be of any further assistance please contact my secretary on 01782 676474.

Yours,





**University Hospitals  
of North Midlands**  
NHS Trust

Jean Lehnert  
**Information Governance Manager**

