



Dear

Gloucestershire Constabulary Freedom of Information request 2023.0251

On 28/02/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

Q1. In 2020, 2021 & 2022 how many Non Disclosure Agreements (Confidentiality Agreements, Compromise Agreements and COT3 agreements have been made in relation to employment related cases (Employment Tribunals, Employment Actions and Employers Liability) between your police force and your Police Officers/Police Staff (including PCSOs)140

Note: please could we have the information broken down for each year, so 2020 total number, 2021, total number, 2022, total number?

Q2. Of these requests referenced in Q1, how much in total did it cost your police force?

Note: Please could we have the number in Great British Pounds and the information broken down for each year, so 2020 total cost, 2021 total cost, 2022 total cost?

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

I can confirm the following information:

We have interpreted 'Employment Actions' as matters that may give rise to a claim regarding legal proceedings including but not limited to changes in responsibilities, termination of employment, failure to promote, deduction in wages etc.

1. The figure provided below are for Non-Disclosure Agreements entered into by the Chief Constable of Gloucestershire Constabulary in which there is a confidentiality clause. If a settlement agreement does not contain a confidentiality clause, these figures have not been included in the response below:

2020- 5

2021- 1

2022- 7

2. In a consolidated response the total cost of Non-Disclosure Agreements for the calendar years 2020, 2021 and 2022 is £277,170.00.

We are unable to break the figures into calendar years as to do so may identify the individual concerned.

Section 17 of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

With regard to the disclosure of annual costs, the following exemption applies:

Section 40(2) Personal Information

Section 40(2) applies to third party personal data. This would not be released under the Freedom of Information Act unless there is a strong public interest. The disclosure of any information which could lead to the identification of an individual would breach the Data Protection Principles contained within the Data Protection Act 2018, namely the first principle which states that personal data shall be processed lawfully, fairly and in a transparent manner in relation to individuals

This exemption is absolute and class based therefore I am not required to apply either the public interest test or harm test in disclosure.

In accordance with the Act, this letter represents a Refusal Notice for this part of your request.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary