

1 November 2023

## Employment tribunals and disputes

This request relates to employment tribunals/disputes defended by your Trust relating to claims made under the Public Interest Disclosure Act 1998 (i.e., where claimants allege to have suffered detriment, including unfair dismissal, as a result of making a 'protected disclosure' or 'public interest disclosure' or 'whistleblowing disclosure') since the start of the 2012/13 tax year.

### Question 1:

- a) Please state the total number of employment tribunals/disputes brought under the Public Interest Disclosure Act defended by your Trust since April 2012.

There have been a total of 10 employment tribunals/disputes brought under the Public interest Disclosure Act since April 2012

- b) If possible without triggering s40 of the FOIA, please provide a yearly breakdown in tax years (2012/13-2022/23) of question 1.a.

2012-2013: 0  
2013- 2014: 0  
2014-2015: 0  
2015-2016: 0  
2016-2017: 0  
2017-2018: <10  
2018-2019: 0  
2021-2022: <10  
2022-2023: <10

### Question 2:

- a) Please state the total paid out in legal fees (including legal advice) by your Trust defending employment tribunals/disputes brought under the Public Interest Disclosure Act since April 2012.

In terms of the legal fees, DLS is paid through a block contract with the Belfast Trust. It is not paid in respect of individual cases. This makes it impossible to determine exact expenditure on PDI cases.

Legal fees have been paid outside of the block contract in instructing a barrister for less than five of the 10 identified cases. Total paid 2012-2023: £8,916

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- b) If possible without triggering s40 of the FOIA, please provide a yearly breakdown in tax years (2012/13-2022/23) of question 2.a.**

This information is exempt from release under section 40(2) of the FOI Act - as this could make persons personally identifiable. Disclosure would constitute a breach of the principles of the General Data Protection Regulations 2018.

**Question 3:**

- a) Please state the total amount spent on the individual employment tribunal/dispute brought under the Public Interest Disclosure Act defended by your Trust, which cost your Trust the highest sum in legal fees, since April 2012.**

We are unable to provide an exact figure - exempt from release under section 40(2) of the FOI Act - as this could make persons personally identifiable. Disclosure would constitute a breach of the principles of the General Data Protection Regulations 2018.

The total paid 2012-2023 can be provided and is: £8,916

**Question 4:**

- a) Please state the total number of employment tribunals/disputes brought under the Public Interest Disclosure Act defended by your Trust, which resulted in the use of a Non-Disclosure Agreement ('NDA' or 'confidentially clause'), since April 2012.**

< 5 (less than five): We are unable to provide an exact figure - exempt from release under section 40(2) of the FOI Act - as this could make persons personally identifiable. Disclosure would constitute a breach of the principles of the General Data Protection Regulations 2018.

- b) If possible without triggering s40 of the FOIA, please provide a yearly breakdown in tax years (2012/13-2022/23) of question 4.a.**

< 5 (less than five): We are unable to provide an exact figure per year - exempt from release under section 40(2) of the FOI Act - as this could make persons personally identifiable. Disclosure would constitute a breach of the principles of the General Data Protection Regulations 2018.