

Freedom of Information Request

Reference Number: [EPUT.FOI.23.3123](#)
Date Received: 6 September 2023

Information Requested:

I am submitting this request under the Freedom of Information Act 2000. I am requesting information from the following financial years: 2018/19; 2019/20; 2020/21; 2021/22; 2022/23; and 2023/24 to the present day.

Please disclose the following:

1. How many employment tribunal (ET1) claims have been made against the organisation since 2018/19?

[22](#)

If possible, please break this down by type (e.g., public interest disclosure, unfair dismissal, discrimination). If this breakdown takes too long to respond to the FOI then please omit it.

[Unfair Dismissal: 0](#)

[Discrimination: 10](#)

[Unfair Dismissal & Discrimination: 9](#)

[Public Interest Disclosure: 0](#)

[Other: 3](#)

2. Of those ET1 claims, how many have been defended against by the organisation since 2018/19;

[8](#)

Again, continue with a breakdown by type. If this exceeds the time limit then please omit it from the FOI request.

[Unfair Dismissal: 0](#)

[Discrimination: 6](#)

[Unfair Dismissal & Discrimination: 0](#)

[Other: 2](#)

3. The outcomes from each claim (e.g., 12 were in favour of the claimant, 24 were in favour of the respondent, 53 were discontinued/settled out of court)

[In favour of Claimant: 0](#)

[In favour or Respondent: 8](#)

[Settled: 9](#)

[Not yet concluded: 5](#)

4. How much (£) has the organisation spent on defending claims since 2018/19; and [We can neither confirm nor deny whether some of the information you have requested is held by the Trust in its entirety. This is because the information requested is not held in an easily retrievable format, but may be recorded in individual invoices. In order to confirm whether this information is held we would therefore have to individually access all invoices within the Trust and extract the information where it is present. We therefore estimate that complying with your request is exempt under section 12 of the FOI Act: cost of compliance is](#)

excessive. The section 12 exemption applies when it is estimated a request will take in excess of 18 hours to complete. We estimate that accessing and reviewing all health records and then extracting relevant information would take longer than the 18 hours allowed for.

If possible, please provide total figures based on case outcomes (e.g., £200,000 where the tribunal favoured claimant, £120,000 where the tribunal favoured respondent).

If this takes too much time, please provide the total figure for each financial year (e.g., £500,000 in 2018/19, £250,000 in 2019/20).

5. Of the cases defended, how many led to an employment tribunal ruling the organisation must pay costs to the claimant;

0

If possible, please provide figures for each individual case alongside the total. If this takes too much time, please provide the total figure for each financial year (e.g., £500,000 in 2018/19, £250,000 in 2019/20).

Please also break this down by case type. However, as with above, if this takes too long then please omit it from the FOI.

If question 5 takes too long to answer alongside questions 1-4, then please omit it from the FOI request.

Section 12 (Exemption where cost of compliance exceeds appropriate limit):

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated

Publication Scheme:

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organisation. EPUT's Publication Scheme is located on its Website at the following link <https://eput.nhs.uk>