

[REDACTED]

10 August 2018

Dear [REDACTED]

Freedom of Information Act 2000 – Information request (ref: FOI_18-176)

We have now considered your request of 31 July 2018 for the following information:

“I wish to make the following information request under the Freedom of Information Act.

- 1. Between 2014 and 2017, how many non-disclosure agreements were signed by individuals who were leaving the employment of the university?*
- 2. Of these NDAs, how many included a financial payment to the departing individual, and what was the total value of those payments?”*

Unfortunately, on this occasion it is not possible to provide any of the requested information. We have determined that the cost of finding and assembling some of the requested information will exceed the ‘appropriate limit’ as defined by section 12 of the Act and the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004/3244.

The ‘appropriate limit’ of £450, which equates to 18 hours’ work, can relate to one request in its entirety or to a series of linked requests. If the University cannot locate, retrieve and extract some or all of the requested information within the 18 hours we are not obliged to retrieve any of the requested information.

In particular, we are not in a position to provide any of requested information in relation to employment termination. For the time frame requested, the University holds 90 severance agreements, each of which may include non-disclosure clauses. The University does not hold a separate record of which of these agreements, if any, include a non-disclosure clause. Therefore, to provide a response to any element of your request would require locating each individual’s file, the extraction of each settlement agreement, and a manual review of the agreement in order to locate any such clause, the basis for the inclusion of such a clause, and any financial compensation associated with such cases.

We have conducted a test of the time required to review one file and determined that it will require approximately 30 minutes per document to source the requested data. This gives a total of some 45 hours to locate and extract the requested information which is well in excess of the appropriate limit.

To assist you in formulating a request to which we can respond, we have determined that we could provide the severance agreement data for either 2016 or 2017 within the appropriate limit. However, we would not be able to provide the severance agreements data for 2014 or 2015 individually or combined, as the number of documents within each year are sufficiently great as to be in excess of the appropriate limit.

You have the right of appeal against this decision. If you wish to appeal, please set out in writing your grounds of appeal and send to me at the address noted in the heading to this letter.

You must appeal our decision within 60 calendar days of the date of this letter. Any appeal received after that date will not be considered nor acknowledged. This policy has been reviewed and approved by the Information Commissioner's Office.

You also have a subsequent right of appeal to the Information Commissioner's Office. Further information is available on their website:

https://ico.org.uk/Global/contact_us, or by telephone on 0303 123 1113.

Please quote our reference given at the head of this letter in all correspondence.

Yours sincerely

Dave Palmer
Information Policy and Compliance Manager
University of East Anglia