



University of East Anglia

Information Compliance (ITCS)

The Library
University of East Anglia
Norwich Research Park
Norwich NR4 7TJ
United Kingdom

Email: foi@uea.ac.uk
Tel: +44 (0) 1603 593 523
Fax: +44 (0) 1603 591 010
Web: <http://www.uea.ac.uk>

[REDACTED]

16 April 2018

Dear [REDACTED]

Freedom of Information Act 2000 – Information request (ref: FOI_18-069)

We have now considered your request of 16 March 2018 for the following information:

'Under the Freedom of Information Act 2000, please can you provide me with:

- a. The total number of confidentiality clauses agreed in severance deals or agreements for staff per year from 2015-2017 inclusive.*
- b. The total number of severance deals or agreements agreed per year from 2015-2017 (inclusive) that included confidentiality clauses for staff who had made an allegation of sexual assault or sexual harassment against another member of staff.*
- c. The total amount of financial compensation paid to former employees where confidentiality clauses were included as part of severance deals or agreements from 2015-2017 inclusive.*
- d. The total amount of financial compensation paid to former employees where confidentiality clauses were included as part of severance deals or agreements and where that person had made an allegation of sexual assault or sexual harassment against another member of staff from 2015-2017 inclusive.*

Please provide individual figures for all parts of the request. Please note 'former employees' relates to those who left the organisation at the point of the severance agreement but may now be back working at the organisation. Please do not preclude these people from the response if it is known they have rejoined.'

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.

For the time frame requested, the University holds 69 severance deals or agreements each of which may include confidentiality clauses. The University does not hold a separate record of which of these agreements, if any, include a confidentiality clause. Therefore, to provide a response to any element of your request would require a manual review of each agreement 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 45 minutes per agreement to source the requested data. This gives a total of some 51 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 data for 2016 within the appropriate limit. Unfortunately we have also determined that we would not be able to provide the data for 2015 or 2017 individually as the number of agreements within each 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](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