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Bwrdd Iechyd
Addysgu Powys
Powys Teaching
Health Board

Information Governance Team
Monnow Ward
Bronllys Hospital
Bronllys
Brecon
Powys LD3 0LY
Email: Powys.FOI@wales.nhs.uk
Tel: 01686 252159/01874 442071

Our ref: IG/FOI/23.R.349

19 October 2023

Sent via email to: [REDACTED]

Dear [REDACTED]

Request under the Freedom of Information Act 2000

I write further to your request for information which was received on 6 October 2023 and subsequent email also received on 6 October 2023, to confirm, in accordance with S.1(1)(a) of the Freedom of Information Act 2000, that Powys Teaching Health Board (PTHB) does not hold the information that you require.

For ease of reference your request is set out below and our response follows:

Your Freedom of Information (FOI) Request:

I am sending this request under then Freedom of Information Act.

This request relates to employment tribunals/disputes defended by your Board 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 Board 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.

Question 2:

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

Pencadlys
Tŷ Glasbury, Ysbyty Bronllys,
Aberhonddu, Powys LD3 0LU
Ffôn: 01874 711661



Headquarters
Glasbury House, Bronllys Hospital
Brecon, Powys LD3 0LU
Tel: 01874 711661



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.

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 Board, which cost your Board the highest sum in legal fees, since April 2012.

Question 4:

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

I submitted an FOI request entitled 'PIDA employment dispute costs' yesterday afternoon. I would like to add one further question to my FOI request, which I believe can still be answered within the time limits of the FOIA – the additional question is 4(b) below.

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.

Powys Response:

Q1 – 4 Powys Teaching Health Board (PTHB) can confirm that there are no centralised records held on employment tribunals or disputes defended by PTHB relating to claims prior to 2017 and therefore we are unable to respond to this part of your request. For claims 2017 onwards, PTHB are not aware of any employment tribunals or disputes brought under the Public Interest Disclosure Act defended by PTHB. Therefore, this is a nil response.

Should you need any further assistance, please do not hesitate to contact me at the address below.

If you are dissatisfied, with the way your request has been dealt with by PTHB, you have the right to request a review in which case you should write to:

Chief Executive
Powys Teaching Health Board Headquarters
Glasbury House
Bronllys Hospital
Bronllys
Brecon
Powys LD3 0LY

If you are still dissatisfied at the end of the review, you may complain to the Information Commissioner, who can be contacted at the following address:

Information Commissioner's Office - Wales
2nd Floor,
Churchill House,

Churchill Way,
Cardiff, CF10 2HH
Tel: 029 2067 8400 Fax 029 2067 8399

www.ico.org.uk

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Rydym yn croesawu derbyn gohebiaeth yng Nghymraeg. Byddwn yn ateb y fath ohebiaeth yng Nghymraeg ac ni fydd hyn yn arwain at oedi. We welcome receiving correspondence in Welsh. We will reply to such correspondence in Welsh and this will not lead to a delay.

Yours sincerely



Debra Wood-Lawson
Director of Workforce & Organisation Development