

12 August 2024

FOI Ref 16787

Request - You asked us the following:

I am writing to submit a Freedom of Information (FOI) request regarding the use of non-disclosure agreements (NDAs) within your force during the financial years 2021/22, 2022/23 and 2023/24.

I am seeking the following information pertaining to your force for the specified period:

1. The total amount of money spent on NDAs by your force from in the specified period.
2. The number of individuals who signed NDAs with your force during the specified period, categorised by:
 - a) Police officers
 - b) Civilian staff members
 - c) Members of the public

Please also break this down by male and female, if possible.

3. The largest amount of money paid to someone part of a single NDA agreement during the specified period.
4. If not over the cost limit, a breakdown of the reasons for which NDAs were signed, categorised by:
 - a) Matters relating to employment
 - b) Complaints against the police force
 - c) Other reasons (please specify)
5. Any legal fees associated with these NDAs, if any.

I understand that certain details within the NDAs may be restricted to protect personal information, but I request that any available information be provided to the fullest extent possible within the constraints of applicable privacy laws.

We received your request on 22/04/2024 and have processed this under the Freedom of Information Act (FOIA).

Please find below our response.

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

Staffordshire Police withholds the following information.

1. The total amount of money spent on NDAs by your force from in the specified period.
2. The number of individuals who signed NDAs with your force during the specified period, categorised by:
 - a) Police officers
 - b) Civilian staff members
 - c) Members of the public

Please also break this down by male and female, if possible.



3. The largest amount of money paid to someone part of a single NDA agreement during the specified period.
4. If not over the cost limit, a breakdown of the reasons for which NDAs were signed, categorised by:
 - a) Matters relating to employment
 - b) Complaints against the police force
 - c) Other reasons (please specify)
5. Any legal fees associated with these NDAs, if any.

I understand that certain details within the NDAs may be restricted to protect personal information, but I request that any available information be provided to the fullest extent possible within the constraints of applicable privacy laws.

The above information has been withheld for the following reasons:

There is no method by which we can easily retrieve information from our systems to answer this request. To retrieve and review archived and current employment files for the period 2021 -2024 in order to identify and extract the relevant data would exceed the 18 hours limitation.

There are approximately 100 employment related files to review at a minimum of 12 minutes per file which would equate to over 20 hours in order to determine whether:

- (i) an NDA was used,
- (ii) Identify the party to such NDA, if any,
- (iii) The gender of the subject
- (iv) Whether any legal fees were associated.

Additionally, further files are archived and additional time would be required to completed similar research of these.

Furthermore, the above only relates to employment related matters and does not deal with any civil claim brought by officers, members of staff and members of the public; further time would be required to conduct additional research and collation of the data requested.

The information related to these claims is likely to be held by third party external solicitors and additional time would be required in order to obtain the relevant information

To achieve this task would therefore exceed the 18-hour time and cost threshold of the FOI Act by some considerable margin.

The following exemptions have been applied:

- Section 12(1) where the cost of compliance exceeds the appropriate limit.
Section 12(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 prescribed limit'.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, in order to comply with this obligation please see below.



STAFFORDSHIRE
POLICE

If you were to reduce the timescale requested to a single year data could be provided for. If you agree, please choose the year's data you wish to receive. Please be aware that further exemptions may apply.

Next steps

You can ask us to review our response.

If you would like us to carry out a review of our response, please let us know within two months of the date of receipt of this email, review requests should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

Please remember to quote the reference number in any future communications.

Freedom of Information
Central Disclosure Unit