

Ref: FOI/GS/ID 5867

Please reply to:
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Freedom of Information Act 2000

I am writing in response to your request for further information made under the Freedom of Information Act 2000 in relation to Compromise agreements.

You asked:

- 1. If so, when did the trust adopt this policy?" [E.g. the policy of inserting a clause to make it clear that workers or ex workers can whistleblow]*
- 2. Can the trust also confirm that since 2016 it has remained the trust's policy to include a clause in its compromise agreements which makes it clear that workers or former workers are not prevented from whistleblowing?*
- 3. If the trust has inserted such a clause into its compromise agreements, please provide a copy of the relevant clause."*

Trust response:

Agreements can vary slightly based on employee's requests. However, the standard working for the relevant clause is as follows:

'For the avoidance of doubt, nothing shall prejudice any rights that the Employee has or may have had under the Public Interest Disclosure Act 1998 and /or any obligations that the Employee has or may have to raise concerns about patient safety and care with regulatory or other appropriate statutory bodies pursuant to his/her professional and ethical obligations including those obligations set out in guidance issued by regulatory or other appropriate statutory bodies from time to time'.

This or very similar wording has been used in settlement agreements during the period in question i.e. April 2013 onwards.

The Trust can confirm that there have been no compromise agreements in the period since January 2016 to date.

