

DE/2026-079 – Freedom of Information Request

Request:

I am writing to request information under the Freedom of Information Act 2000. I would like to request the following information concerning the use of non-disclosure agreements and settlement agreements containing confidentiality clauses with current or former members of staff.

For the purposes of this request, a non-disclosure agreement (NDA) is defined as any agreement, or any clause within a broader agreement, that prevents or restricts a departing or former employee from disclosing information about the circumstances of their departure, any workplace dispute, or any conduct by the authority or its staff. This includes, but is not limited to, standalone non-disclosure agreements and settlement agreements (formerly known as compromise agreements) that contain a confidentiality clause.

The request is as follows:

1.a) In each calendar year from 2016 to the date of this request, how many settlement agreements or non-disclosure agreements meeting the above definition were concluded between the authority and current or former members of staff?

1.b) Please provide this information broken down by year. Where the number in a given year falls below five AND you consider that a precise figure risks identifying individuals, please amalgamate adjacent years so that each reported cell contains at least five agreements.

2.a) In each of the same calendar years, what was the total value of financial payments made to employees as part of the agreements described above?

2.b) Please provide this information broken down by year, applying the same approach to aggregation as in Question 1.b) where necessary.

3.a) Does the authority have any policy, guidance, or internal procedure governing the circumstances in which non-disclosure clauses may be included in settlement agreements or other agreements with departing staff? If so, please provide a copy or summary of that policy.

4.a) What is the total headcount of the authority's workforce as of the most recent available date? Please state the date to which this figure relates.

Please cover the period from 1 January 2016 to the date of this request.

If possible, please provide this information in electronic format, for example as a PDF, CSV, or spreadsheet file.

If any part of this request is refused, please provide a clear explanation for the refusal under each specific point, citing the relevant exemption or exemptions under the Freedom of Information Act 2000 and outlining your reasoning in each case.

If the scope of this request exceeds the appropriate cost limit under Section 12 of the Act, please advise specifically how it may be refined to bring it within that limit.

Department Response:

I refer to your request under the above legislation for information about usage of settlement agreements and non-disclosure agreements regarding Departmental staffing. I have laid out each of your requests below along with the Departmental response to your requests.

Requests:

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Departmental Response:

In respect of Section 1(1)(a) of the act I wish to advise you that following a search of our records the information you have requested above is not held by the Department.

I would like to bring to your attention that human resource functions are centralised within NICSHR in the Department of Finance. The information you have requested may be held by that Department. You can make a Freedom of Information request to them via:

foi@finance-ni.gov.uk