



10 January 2018

FREEDOM OF INFORMATION ACT 2000 - REQUEST REF: FOI 1221-17

I am writing in response to your email received on 20 December 2017 asking for information under the Freedom of Information Act (FOIA) 2000. You specifically asked:

Under the Freedom of Information act I request the following information:-

Please provide the following information for both the Foreign and Commonwealth Office and Wilton Park. Ensuring the answers are clearly defined which answer relates to which company.

a) how many employment settlement agreements have been agreed between either company and employee(s) since 1 January 2011

b) the total amount per annum and the number of settlement agreements the total figure represents, since 1 January 2011 ie FCO £10,000 total, for 3 agreements. Wilton Park £10,000 total for 2 agreements

c) how many employment tribunal cases have been settled before reaching court hearing for each company since 1 January 2011

d) please provide details how holiday leave is paid to staff and the calculation used for both companies

E) please provide the number, if any, employees holiday pay which has been calculated differently to the policy for either company

I am writing to confirm that we have now completed the search for the information, which you requested. I can confirm that Wilton Park does hold information relevant to your request.

We can supply the following information relevant to the request for Wilton Park.

Question (A) – No information held since no employment settlement agreements have been requested since 1 January 2011.

Question (B) – No information held since no settlement agreements have been requested since 1 January 2011.

Question (C) – We can confirm that fewer than five employment tribunal cases have been settled before reaching court hearings since 1 January 2011. We consider that the detailed information you have requested could, if combined with other information in the public domain, identify the individuals concerned. We are therefore withholding it as it constitutes personal data relating to third parties, the disclosure of which would contravene one of the data protection principles. In such circumstances sections 40(2) and (3) of the Freedom of Information Act apply. In this case, our view is that disclosure would breach the first data protection principle. This states that personal data should be processed fairly and lawfully. It is the fairness aspect of this principle, which, in our view, would be breached by disclosure. In such circumstances, s.40 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.

Question (D) – The Foreign & Commonwealth Office (FCO) payroll unit calculate Wilton Park holiday pay rate. Wilton Park provide the FCO with the number of days to pay, and the FCO payroll unit calculate the amount.

Question (E) – No information held since no employees holiday pay has been calculated differently to the policy for Wilton Park.

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If you would like a review of our decision, or if you wish to make a complaint, please write to the FOI and DPA Team, Foreign and Commonwealth Office, Room WH2.177, King Charles Street, London, SW1A 2AH. E-mail: foi-dpa.imd@fco.gov.uk. You have 40 working days to do so from the date of this letter.

You can apply directly to the Information Commissioner. However, the Information Commissioner will not normally make a decision unless you have first exhausted the complaints procedure provided by the FCO. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely

Head of Department



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