

Reference:	FOI.17097.25
Subject:	Payouts for nurses following employment tribunal
Date of Request:	14 April 2025

Requested:

For each financial year between 2020 and 2025 (or the latest available date), please provide yearly figures for the below:

1. The number of employment tribunal claims bought by nurses, trainee nurses and nursing associates against the trust. [example answer: 2020 – 0, 2021 – 2, 2022 – 0, 2023 – 1, 2024 – 1]
2. The outcome from each claim [E.g. withdrawn, won, lost- e.g: In 2020, 1 was in favour of the claimant, 2 were in favour of the respondent, 1 was discontinued/settled out of court]
3. How many cases each year led to an employment tribunal ruling the organisation must pay costs to the claimant, and how much was paid [example answer: 2020 – 1 case, £0 paid; 2021 – 2 cases, £12,000 paid; 2022 – 3 cases, £0 paid; 2023 – 0 cases, £0 paid, 2024 – 3 cases, £0 paid]
4. If possible, please break down each claim by type [e.g. public interest disclosure, unfair dismissal, discrimination]

Response:

Hywel Dda University Health Board (UHB) is unable to provide you with all the information broken down as requested, due to the low number of cases (less than 5). As there is a potential risk of identifying individuals if the information requested was broken down into individual financial years. Therefore, the UHB is withholding these details under Section 40(2) of the Freedom of Information Act 2000 (FoIA). This information is protected by the Data Protection Act 2018 (DPA)/UK General Data Protection Regulations, as its disclosure would constitute unfair and unlawful processing and would be contrary to the principles and articles of the UK GDPR. This exemption is absolute and therefore, there is no requirement to apply the public interest test.

In reaching this decision, the DPA and UK GDPR define personal data as data that relates to a living individual who can be identified solely from that data or from that data and other information, which is in the possession of the data controller.

However, whilst operating in accordance with the Section 45 Freedom of Information Code of Practice, the UHB has a duty to provide advice and assistance, the UHB can provide the following information.

1. The UHB confirms that six (6) employment tribunal claims were brought against the UHB by members of staff in the Nursing and Midwifery staff group during the requested time period.
2. The UHB provides within the table below a list of outcomes from the employment tribunals detailed in response to q1.

Outcome
Settlement agreed on commercial grounds
Claim dismissed
Claim Struck out
Commercial settlement agreed
Other

3. The UHB confirms no costs were awarded against the UHB from the claims detailed in response to q1.
4. Of the claims detailed in response to q1, the UHB provides within the table below a list of the types of claims brought against the UHB.

Claim Type
Disability discrimination
Unfair dismissal
Unlawful deduction from wages
Race and religion discrimination
Victimisation
Other