

FREEDOM OF INFORMATION ACT 2000

Your request for information has now been considered and the Council's response to your questions is shown below.

You asked:

Please tell me what electronic records were kept for Employment files respectively for 2008, 2009 & 2010.

It appears some were held/recorded electronically and some may not have been. Please advise the criteria used. Please also advise whether any electronic data was kept about hard copy files and if so how many were affected and what was kept.

Please let me have the following information:

In respect of Employment Tribunal cases opened in 2008 in which more than £20,000 total (costs and counsel's fees and disbursement and any departmental time) has been or will be spent by the Council

- 1. What was the case number?**
- 2. Who were the parties? If the names cannot be revealed, please use a form of initials to identify the case**
- 3. Was the case about**
 - 3.a. unfair dismissal,**
 - 3.b. discrimination**
 - 3c. Both**
 - 3d. Something else (please state what)**
- 4. How much compensation was at stake?**
- 5. What was the eventual order/settlement of compensation?**
- 6. How much legal costs were expended and how much respectively of counsel's fees, disbursements and other costs (showing vat if not recovered)?**
- 7. Who authorised the action (name and post)?**
- 8. Who authorised the expenditure (name and post) and what limits and descriptions were set by whom (with position) and when**

9. What additional expenditure by time value was incurred by/with legal or by any other department and where is that recorded and how authorised?

10. What are the total respective costs respective counsel's fees and respective disbursements incurred?

11. How many hours have been spent on this case by the legal department / relevant department (separately for before and after issue of proceedings) and the costs rate charged.

12. What if any recovery of costs and counsel's fees disbursements and department time has been made in respect of the case (split as between the respective heads)

ANSWER:

Leicester City Council believes that your request for information is exempt under s14(1) of the Freedom of Information Act 2000 (Vexatious requests).

The Information Commissioner's Office advises that we "should take account of the wider context and history of the request when considering the questions. A request may not be vexatious in isolation, but when considered in context (for example if it is the latest in a long series of overlapping requests or other correspondence) it may form part of a wider pattern of behaviour that makes it vexatious. "

Further requests will be considered on their own merit, but at this stage the Council is unwilling to respond to this particular request for the above reasons. This is therefore a refusal notice under s17 of the Act as s14(1) applies.

Leicester City Council is also refusing your request under Section 30 of the Act – Investigations and proceedings conducted by public authorities.

Disclosure of the requested information at this stage could have a significant negative impact on the outcome of the investigation. The Council considers there is a strong public interest in avoiding likely prejudice of such an investigation.

For your information this letter constitutes a refusal notice under Section 17.1 of the Freedom of Information Act 2000 because an exemption under Section 30 of the Act is being applied – Investigations and proceedings conducted by public authorities.

The legislation allows you to use the information supplied for your own personal use. Please be aware that any commercial or other use, for example publication, sale, or redistribution may be a breach of copyright under the Copyright, Designs and Patents Act 1988 as amended unless you obtain the copyright holder's prior permission.

Not all the information that is supplied which is covered by copyright will be the Council's copyright, for example it may be the copyright of a government department or another Council. You should seek either the Council's consent or their consent as appropriate. The Council is willing to advise you of any such potential issues on request. In order to make a request to re-use the information please contact the Information Governance Manager using the details below.

If you are dissatisfied with the handling of your request please write to:

Information Governance Manager

Information and Support

Leicester City Council

FREEPOST (LE985/33)

New Walk Centre

LEICESTER LE1 6ZG

e-mail: FOIA@leicester.gov.uk

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

Information Commissioner's Office

Wycliffe House

Water Lane

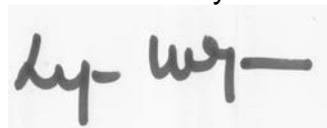
Wilmslow SK9 5AF

Telephone: 01625 545 700

www.informationcommissioner.gov.uk

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to the Information Governance Manager before contacting the Commissioner.

Yours sincerely



Lynn Wyeth

Information Governance Manager