

## Salomeh Kheyri Rad

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**From:** Foi Enquiries  
**Sent:** 11 July 2019 13:02  
**To:** [REDACTED]  
**Subject:** FOI-19-0813 - Non Disclosure Agreements  
**Attachments:** V3 - Further Information - Right to Review & Appeal.pdf

Dear [REDACTED]

Thank you for your information request of 12 June 2019 and please accept our apologies for delay in getting back to you. Aberdeen City Council (ACC) has completed the necessary search for the information requested. Our response is now detailed below.

**- The number of non-disclosure agreements the local authority has signed with staff/former staff members in the last five years.**

ACC is unable to provide the required information as these details are confidential. It is part of a legally privileged document entered into by both parties. The clear and expressed intent of both parties in signing such a document is that the information contained therein is not disclosed to any other party. ACC is legally obliged to honour the document as to breach it, identify it (which is a breach in itself), would go against the nature of the document.

ACC is unable to provide you with information on **number of non-disclosure agreements the local authority has signed with staff/former staff members in the last five years** as it is excepted from disclosure. In order to comply with its obligations under the terms Section 16 of the FOISA, ACC hereby gives notice that we are refusing this part of your request under the terms of Section 36(2) – Confidentiality – of the FOISA - 'its disclosure by the authority so obtaining it to the public (otherwise than under this Act) would constitute a breach of confidence actionable by that person or any other person.'

**-The costs (and all associated costs) of non-disclosure agreements the local authority has signed with staff/former staff members in the last five years.**

**Costs should include any pay-outs to staff in relation to non-disclosure agreements.**

ACC is unable to provide the required information as these details are confidential. It is part of a legally privileged document entered into by both parties. The clear and expressed intent of both parties in signing such a document is that the information contained therein is not disclosed to any other party. ACC is legally obliged to honour the document as to breach it, identify it (which is a breach in itself), would go against the nature of the document.

ACC is unable to provide you with information on **costs (and all associated costs) of non-disclosure agreements the local authority has signed with staff/former staff members in the last five years** as it is excepted from disclosure. In order to comply with its obligations under the terms Section 16 of the FOISA, ACC hereby gives notice that we are refusing this part of your request under the terms of Section 36(2) – Confidentiality – of the FOISA - 'its disclosure by the authority so obtaining it to the public (otherwise than under this Act) would constitute a breach of confidence actionable by that person or any other person.'

### INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

ACC handled your request for information in accordance with the provisions of the Freedom of Information (Scotland) Act 2002. Please refer to the attached PDF for more information about your rights under FOISA.

We hope this helps with your request.

Yours sincerely,



**Salomeh Kheyri Rad** | Access to Information Officer

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