

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** FOI-17-0658 - ET1 Claim Forms  
**Date:** 31 May 2017 14:08:52  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)

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Dear [REDACTED],

Thank you for your information request of 2 May 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**Since April 2010 the Employment Tribunal has had the option to copy ET1 claim forms under the Public Interest Disclosure Act to the relevant regulators ("prescribed persons").**

**Please advise since April 2010:**

**1) How many ET1 claim forms (or excerpts and information related to the claims) for whistleblowing detriment under the Public Interest Disclosure Act has Aberdeen City Council received from the Employment Tribunal?**

43 Employment Tribunal files have been opened since 2012 in response to ET1 claim forms. Files from 2010 to April 2012 will have been destroyed as these are only retained for a period of 5 years.

Out of the 43 it is unclear how many specifically relate to Whistleblowing.

Aberdeen City Council will be unable to confirm **how many ET1 claim forms for whistleblowing detriment under the Public Interest Disclosure Act** were received. Section 12 of FOISA allows Aberdeen City Council to refuse to comply with an information request where we calculate that it will cost in excess of £600 to do so. The calculation has been provided below:

Locating, retrieving and reading through 1 file – 74 (minutes) X 43 files = 3182 minutes (53 hours)

At a cost of staff time of £15 per hour (15 X 53), we can calculate that answering this information request would cost in the region of £795. This is in excess of the £600 maximum and Aberdeen City Council would therefore not be required to provide the information.

This calculation was tested on 3 files where going through each file took 62, 74 and 85 minutes and the average time is used in the above calculation

ACC would be happy to discuss ways in which you may refine your request, so we can provide some information of interest to you within the maximum cost limits. Please do contact the Information Compliance team, who will be happy to advise you, if this is something you would like to pursue.

ACC is unable to provide you with information on **ET1 claim forms for whistleblowing detriment under the Public Interest Disclosure Act before 2012** as it is not held by ACC. In order to comply with its obligations under the terms of Section 17 of the FOISA, ACC hereby gives notice that this information is not held by it.

**2) Please advise if Aberdeen City Council holds data on the action that the organisation took in response to these notifications by the Employment Tribunal.**

Aberdeen City Council will have provided responses to Claim Forms on a case by case basis.

**3) Please give a breakdown of the number of ET1 claim forms (or excerpts and information related to the claims) received by each financial year.**

The data is not held according to financial years, but in terms of calendar years, the ET1s received in which we have opened Employment Tribunal files are as follows:

2010 – April 2012 – These files will have been destroyed and there is no way for us to find out how many claim forms have been received.

2012 – 3 Employment Tribunal files were opened

2013 – 3 Employment Tribunal files were opened

2014 – 23 Employment Tribunal files were opened

2015 – 11 Employment Tribunal files were opened

2016 – 1 employment tribunal file was opened

2017 – 2 employment tribunal files have been opened

ACC is unable to provide you with information on **number of ET1 claim forms received by each financial year 2010-2012** as it is not held by ACC. In order to comply with its obligations under the terms of Section 17 of the FOISA, ACC hereby gives notice that this information is not held by it.

**4) Please give a list of the bodies to which these PIDA claims relate, and the number and (if practicable) the nature of ET1s received about each organisation, broken down by financial year.**

See answer to Question 1. We are unable to confirm how many PIDA claims there have been.

**5) Has Aberdeen City Council undertaken any analysis of the ET1 intelligence that it has received from Employment Tribunals since April 2010? If so, please disclose all reports and or correspondence that give the details and results of the analysis/ analyses.**

Aberdeen City Council has not undertaken any analysis of ET1s.

We hope this helps with your request.

Yours sincerely,

Grant Webster  
Information Compliance Officer

**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.

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