

Ref. No: 2019
Date: 1st September 2025
Subject: Employment Tribunals

REQUEST

1. How many active Employment Tribunal claims are currently ongoing against your Trust and what are the projected legal costs of these cases?

Clarification: I would like information on the total legal costs including any awards from an employment tribunal issued to a claimant.

2. How many Employment Tribunal claims has your Trust had in the last five years and what was the total cost of these cases.

Clarification: I would also be interested in the total cost to the Trust which I assume will mean wages costs for staff.

RESPONSE

1. The trust cannot answer this question as the projected legal costs cannot be predicted before they are concluded and any figure provided would not be accurate. In respect of any rewards from any employment tribunal this also cannot be provided as this is not known for any ongoing cases and is only awarded at the end of any case that the trust does not win.

2. Section 12: cost of compliance exceeds the appropriate limit

Following a thorough assessment, we regret to inform you that Mersey and West Lancashire Teaching Hospitals NHS Trust is unable to comply with your request, as doing so would exceed the cost limit set out under **Section 12 of the Freedom of Information Act 2000**.

Section 12 states that a public authority is not obliged to comply with a request for information if it estimates that the cost of doing so would exceed the **appropriate limit**, which is currently set at **£450** for NHS organisations. This equates to **18 hours of staff time**, calculated at a standard rate of £25 per hour, as defined in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

In this case, fulfilling your request would require the trust checking all the documentation involved in the cases involved and the individual breakdown of the solicitor's costs. Identifying and calculating all the individual staff involved and the cost is an extremely complex task to ensure the figure is an accurate response. The Trust has estimated that locating, retrieving, and extracting the relevant information would significantly exceed the 18-hour threshold, even with reasonable efforts to narrow the scope.

We are therefore applying Section 12 of the Act and will not be proceeding with the request in its current form.

However, we would be happy to assist you in refining your request to bring it within the cost limit. For example, narrowing the timeframe, specifying particular departments, or focusing on a specific aspect of the information may help reduce the burden of compliance.

Please let us know if you would like support in revising your request.