

Access to Public Information Response

February 28th 2018

REQUEST UNDER THE CODE OF PRACTICE FOR ACCESS TO PUBLIC INFORMATION

Request sent on February 28th 2018:

I would like to request the following information under the Code of Practice for Access to Public Information:

- The number of compromise agreements to public sector employees per department made in the past 5 years (2013-2017)
- A summary of the amounts paid per year (2013-2017)

States of Guernsey response sent on March 28th 2018:

Further to your request made under the Code of Practice on Access to Public Information, please see the below response:

For the purposes of background, the use of compromise agreements is enshrined in The Employment Protection (Guernsey) Law, 1998, as amended. Under certain circumstances, compromise agreements can be a useful tool to enable an employer and employee to bring an employment relationship to an end.

A compromise agreement could be the appropriate course of action for various reasons, which include but are not limited to:

- Breakdown in relationships
- Lack of trust and confidence
- Inadequate performance
- A dysfunctional employee

Providing statistics per Committee/service area could, via a process of elimination, lead to the identification of individuals formerly employed by the States of Guernsey, particularly by their former colleagues. As this would be an unacceptable breach of confidentiality, the following is a summary of the compromise agreements reached between 2013-2017:

Year	Number issued	Value £	Average value £
2013	13	482,812.33	37,139.41
2014	18	537,157.61	29,842.01
2015	14	325,217.85	23,229.85
2016	21	663,784.68	31,608.79
2017	19	430,158.64	22,639.93
TOTAL	85	2,439,131.11	28,695.66

The £430k paid in 2017 represents 0.17% of the £250m annual pay bill (approximate).

These figures should be considered in the context that the States of Guernsey employs some 5,300 staff, therefore 19 compromise agreements in 2017 amounts to only 0.35% of the workforce. To add further context, during the year ending February 2018 there were 685 leavers from the employment of the States of Guernsey.

While the States of Guernsey prides itself on being a good and fair employer, there are understandably occasions where the best solution for the employer and employee is to end the relationship and a compromise agreement remains an appropriate mechanism to help bring matters to a swift resolution.