

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: FOI-17-1224 - Payments to Staff
Date: 13 September 2017 09:34:43
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED],

Thank you for your information request of 22 August 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

1. What was the total paid out to SENIOR council officials in exit packages between the financial years 2016-2017? This is including but not limited to pensions, benefits, severance payments and annual salaries given to those who left their job.

- By left their job, I mean workers who were laid off, whose jobs were eliminated, who decided to leave the company through mutual agreement, who were made redundant, who retired, who resigned or who parted ways with the company for other reasons. 'Exit Packages' refers to all severance payments made to employees who left the council either because they retired or were made redundant. This includes all pay and benefits.

The total remuneration paid out to senior members of staff (Head of Service and above) during 2016/17 was £48,742.00. This includes final salary payments, severance payments, payments in lieu of holidays and employers contributions.

2. I would like these figures to be broken down by job title i.e. £100,000 paid to executive director of finance and customer services.

ACC is unable to provide you with information on the total sum paid out by Aberdeen City Council in 2016-2017, including severance packages, benefits payments etc. for senior staff (Director and Head of Service level) as it is exempt from disclosure. In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing your request under the terms of Section 38(1)(b) in conjunction with Section 38(2)(a)(i) – Personal Information – of the FOISA.

In making this decision ACC considered the following points:

ACC is of the opinion that Section 38(1)(b) applies to the information specified above as the information in question is personal information relating to living individuals, of which the applicant is not the data subject. Releasing the total sum paid into the public domain under FOISA would likely enable colleagues and other people (who are already aware that each individual has left ACC and that the individual may have accepted severance), to work out how much was paid out to the individual. This possibility is likely because the number of Directors and Heads of Service who were paid severance packages for the year specified is small and the fact that the individuals left ACC is public knowledge (for example because this would have been widely reported within ACC).

ACC is of the opinion that Section 38(2)(a)(i) applies, as we consider that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). It would not be fair to release this information as the individuals have no expectation that such information would be released. The terms, conditions and details of severance payments are kept private and confidential and therefore ACC has an obligation to keep this information confidential. In addition, the individuals have not consented to the disclosure of information which, if released, would likely enable the public to find out about the individuals' severance package.

The sums paid out are based on age and years of service (during which the individual may not always have been in a senior position at ACC) and therefore relate more to the individuals' totality of service, financial contributions and personal circumstances than to their seniority during their employment at ACC. Releasing the information may reveal details of the individuals' former and current finances which are linked to their private life and therefore the individuals would expect this information to remain private.

ACC recognises that there is a legitimate interest in information which would increase transparency and

accountability in relation to public money spent on severance payments to ACC Directors and Heads of Service and in the expenditure of public funds. ACC also recognises that there is an expectation that senior staff action in their professional capacity are open to increased scrutiny. To this end, ACC publishes information on senior staff salaries and pensions in its online annual accounts:

http://www.aberdeencity.gov.uk/council_government/performance/financial_information/ctx_FinInfo_Home.asp

ACC has also published information on severance packages in response to other information requests and this can be found on ACC's online disclosure log, for example:

FOI-14-1311 – Redeployment and Redundancy:

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=61790&SID=24450>

FOI-14-0871 – Redundancy and Severance:

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=60022&SID=24450>

FOI-16-0594 – Staff Bonuses:

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=71500&SID=27611>

FOI-16-0785 – Salary Claims:

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=72202&SID=27611>

However, for the reasons stated above, ACC is of the view that providing the sum paid out on severance packages would be unfair and would lead to unwarranted intrusion into the privacy of the individuals.

3. I would like the total remuneration - including but not limited to pensions, benefits, severance payments and annual salaries given to council officials who left their job (for the same reasons as listed above) for the five financial years prior to this. The information here need not be broken down by job title and individual payout just the lump total for each year.

Note: By 'SENIOR' officials, I mean either those who are defined as such within your council's own definition, or those who are on a salary of £50,000 or over if your council does not have its own way of defining a 'senior' official.

2011/12 - £15,516.05

2012/13 - £0.00

2013/14 - £113,702.96

2014/15 - £17,765.04

2015/16 - £382,003.53

The sums detailed above include final salary payments, severance payments, payments in lieu of holidays and employers contributions, expenses, redundancy payments, payments in lieu of notice, compensation payments, payments for loss of office and salary arrears after leaving ACC. No senior officers left in 2012/13.

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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*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.

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