

From: [Grant Webster](#) on behalf of [Foi Enquiries](#)
To: [REDACTED]
Subject: FOI-17-0262 - Compensation
Date: 08 March 2017 15:32:12
Attachments: [Further Information - Right to Review & Appeal.pdf](#)
[FOI-17-0262 - Attachment.xlsm](#)

Dear [REDACTED]

Thank you for your information request of 13 February 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

Under the Freedom of Information Act, I would like to request the following information from your council:

1. In the last three years, how much money has your council paid out in compensation following personal injury claims, and work related accident claims?

Please break down by total amount for the last three financial years (2014-15, 2015-16, 2016-17 so far).

This request relates to the year the compensation money was paid out, even if the incident occurred in a previous year.

2. Broken down for the same financial years above, please state the amount paid in legal costs relating to personal injury claims - including those where cases were unsuccessful. Please also break down these costs by legal firm. This relates to the year the money was paid to the firm, even if the incident or conclusion of the case occurred in an earlier year.

3. For each successful case (where a claimant was awarded compensation for a personal injury or accident at work), please state:

- **The year the money was paid out**
- **The total amount of compensation money paid**
- **The total amount spent on legal costs relating to the case**
- **The type of injury, where it occurred (e.g. council building, school, etc.) and how it occurred.**
- **Whether the claimant was a staff member, or member of the public.**

Please see attached spreadsheet with Public and Employers Liability tabs.

Please note, we do not record when payments are made, just the payment against the claim. Please also note, we do not separate out the legal costs for amounts paid under a claim and cannot provide detailed information about injury locations as this may lead to an individual being identified.

ACC is unable to provide you with information on injury locations 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 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.

ACC is of the opinion that Section 38(2)(a)(i) applies, as we consider that disclosure of the detail of each case would be a breach of the first Data Protection Principle (personal information must be processed fairly and lawfully).

ACC considers that providing the exact location may lead to these individuals and information about them being identified. ACC has not been given consent by the individuals to disclose the details of their claims and ACC is of the opinion that there is no legitimate interest or expectation that the public should be allowed to identify these individuals and find out the details of their claims through the disclosure of this information under FOISA.

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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Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

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Year	No of claims	Total net paid	Total solicitor costs	Premises type	Injuries	Causes
2014-15	60	£29,482.40	£6,440.14	Flat	Broken/chipped bone	Lighting failure
				Open space	Bruises	Surface defect carriageway
				School	Burns	Surface defect footway
				Community centre	Cuts	Other work process
				Council building	Internal	Water/ice/snow
					Sprains/strains	Signs footway
					Stress	

Year	No of claims	Total net paid	Total solicitor costs	Premises type	Injuries	Causes
2015-16	60	£12,026.00	£5,526.00	Open space	Broken/chipped bone	Defective equipment
				School	Bruises	Defective premises
				Flat	Cuts	Other Work Process
				Residential/sheltered	Internal	Surface defect carriageway
				Council building	Stress	Surface defect footway
					Head Injury/concussion	Tree Roots
						Water/Ice/Snow

Year	No of claims	Total net paid	Total solicitor costs	Premises type	Injuries	Causes
2016-17	114	£0	£0	Flat	Stress	Slip/trip
				School	Cuts	Defective premises
				House	Soft tissue	Other work process
				Council building	Broken/chipped bones	Surface defect carriageway
				Open space	Bruises	Surface defect footway
					Internal	Tree roots
					Strains/sprains	

Year	No of claims	Total net paid	Total solicitor costs	Premises type	Injuries	Causes
2014-15	8	£124,322.41	£58,053.13	House School Council building Open space	Internal Head injury/concussion Broken/chipped bones Cuts	Fall Other work process Slip/trip
2015-16	12	£17,622.00	£4,245.00	Open space Council building Flat House School	Soft tissue Broken/chipped bones Internal Stress Cuts	Other work process Fall Slip/trip Activity
2016-17	0					