

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: FOI-17-0689 - Ill Health Retirement
Date: 26 May 2017 11:03:29
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED]

Thank you for your information request of 10 May 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

I would like to know if Aberdeen City Council's former head of infrastructure, Pete Leonard – who resigned on Friday May 5 – has been given ill health retirement?

ACC is unable to provide you with information on whether **Aberdeen City Council's former head of infrastructure, Pete Leonard has been given ill health retirement** 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 a living individual, of which the applicant is not the data subject. Releasing any information in relation to this into the public domain would identify sensitive personal information about the individual.

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) and the second Data Protection Principle (that personal information must be processed only for one or more specified and lawful purpose). It would not be fair to release this information as the individual has no expectation that such information would be released. The terms, conditions and details of resignations are kept private and confidential and therefore ACC has an obligation to keep this information confidential. In addition, the individual has not consented to the disclosure of information which, if released, would enable the public to find out about the individual's current status.

ACC recognises that there is a legitimate interest in information which would increase transparency and accountability in relation to public money spent on 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 acting 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

However, for the reasons stated above, ACC is of the view that providing any information on one former member of staff's resignation details would be unfair and would lead to unwarranted intrusion into their privacy.

And I would also like to know how much his ill health retirement is costing Aberdeen City Council?

Aberdeen City Council has concerns with either confirming or denying that we hold any information in relation to this request. Please see our explanation below.

ACC is unable to confirm or deny whether it holds any information in relation to your request, as ACC consider that for it to do so would be contrary to the public interest.

To explain this decision, ACC considers that, if ACC held any information in relation to your request, it would be exempt from release under Section 38(1)(b) in conjunction with Section 38(2)(a)(i) (Third Party Personal Information) as detailed above.

In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing this part of your request under the terms of Section 18(1) (Further provision as respects responses to a request) – of the FOISA.

We hope this helps with your request.

Yours sincerely,

Information Compliance Team

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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