

LANARKSHIRE NHS BOARD



Kirklands Headquarters
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Date: 15th march 2012
Your Ref:
Our Ref: IAR/RM

Enquiries to: Rita Morris
Direct Line: 01698 858201
Email:

Dear Mr Freel

xxxx.xxxxxx@xxxxxxxxxxxxx.xxxx.xxx.xx

Freedom of Information: Request for Review

I refer to your e-mail of 4 March 2012 and to your request for review of the response you received in relation to your request, under the Freedom of Information (Scotland) Act 2002 (FOISA), for the following information in relation to administrative and clerical and management posts:-

- Voluntary early retirements, including the number of posts/people, how much this cost in 2011 and how many of these were enhanced packages.
- Compulsory redundancy, including the number of posts/people, how much this cost in 2011 and how many of these were enhanced packages.

I note that in the response from the Freedom of Information (FOI) Officer you were advised that within the administrative services and senior managers posts there had been no voluntary early retirements or compulsory redundancies recorded between 1 January and 31 December 2011.

I have now reviewed the original response you were sent and have taken into account your comments in your request for review regarding our interpretation of the wording and that you believed that a number of people had left the service between January and December 2011 and had received enhanced payments.

I have also taken account of your email to me dated 7 March 2012 when you explained that you were looking for information on voluntary severance schemes and enhanced packages.

I have reviewed this matter and have investigated whether the response to your request for information was interpreted accurately, whether the information provided was correct, and located the information you seek on the voluntary severance scheme.

Interpretation of the Request

I have looked again at the wording of your original request. As you indicated in your email, organisations have different names for these schemes and I am sorry if this has caused any confusion. I do note, however, that the FOI Officer did ask for clarification of your request and that you did not at that time indicate that you were seeking information on the voluntary severance scheme. I am, therefore, satisfied that a reasonable interpretation was taken of your request.

Compulsory Redundancies

I have reviewed the information on the number of compulsory redundancies and can confirm that there were no compulsory redundancies during the period you request. I am, therefore, satisfied that the FOI Officer has complied with this part of your request.

Voluntary Early Retirements

I have also reviewed the information on the number of voluntary early retirements. I am not content that this has been answered satisfactorily. You were advised that there had been no voluntary early retirements over the period requested. I have been made aware that there were in fact two voluntary early retirements in the administrative services job family in 2011. There were no costs associated with these early retirements. You should have been advised of this and I must apologise for this error. I am not satisfied that this part of your request was dealt with correctly and, therefore, uphold this part of your request for review.

Voluntary Severance

I have also considered your request for information on employees in the staff categories administrative services and senior managers leaving NHS Lanarkshire under the voluntary severance scheme in 2011.

Sixty four employees in administrative services posts and three employees in senior manager posts left NHS Lanarkshire under the voluntary severance scheme in 2011 at a total cost of £2,247,053. I can advise that NHS Lanarkshire does not award enhanced packages under the voluntary severance scheme. Costs are calculated in line with the current NHS terms and conditions of service. I attach Section 16, Redundancy payments, Agenda for Change terms and conditions which I hope will be of assistance to you.


Conclusion

In conclusion, I have reviewed the decision by the FOI Officer and believe that NHS Lanarkshire complied with part of your request and did not answer another part of your request correctly. I once again apologise for the error in the voluntary early retirement information provided in the original response. I have provided you with the information held in relation to voluntary early retirements and also the information you sought on the voluntary severance scheme.

I hope this is to your satisfaction. I can, however, confirm that in terms of FOISA if you are dissatisfied with my review of the decision you may make application to the Scottish Information Commissioner within six months of receipt of this letter for a decision on whether your request and review has been dealt with in accordance with the Act. The Scottish Information Commissioner can be contacted at Kinburn Castle, Doubledykes Road, St Andrews, Fife KY16 9DS or by telephone on 01334 464610, by fax on 01334 464611, and by E-mail at xxxxxxxx@xxxxxxxxxxxxxxxxxxxxx.xxx

I must also advise that the Freedom of Information legislation makes provision for an appeal, on a point of law, to the Court of Session against any decision made by the Scottish Information Commissioner.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ian Ross', with a stylized flourish above the name.

**IAN ROSS
DIRECTOR OF STRATEGIC IMPLEMENTATION
PLANNING & PERFORMANCE**

