



The Scottish Parliament
Pàrlamaid na h-Alba

Information Management and Governance
Scottish Parliament
Edinburgh
EH99 1SP

foi.officer@parliament.scot

8 March 2022

Dear Requester

REQUEST FOR INFORMATION: 2022-671597

We acknowledge your request for the following information:

Please consider this to be a request for information under FOI(S)A.

By parliamentary term please provide the following information:

- total number of resettlement grants paid under section 469 of the Scottish Parliamentary Pensions Act (ill health early retirement)
- total amount paid
- the number of cases where SPCB exercised its right (section 471) to request medical evidence in relation to these payments
- confirmation that the SPCB are not aware of any scenarios where ill-health resettlement grants have been made and where the subjects are or were subsequent to the payments being made in gainful employment

In relation the previous refusal to issue information on resettlement grants by individual I am not requesting that information here in the expectation it would be refused, but should you wish to provide it I would be interested in receiving such.

Your request was received on 8 February 2022 and has been handled in accordance with the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

There is no section 469 of the Scottish Parliamentary Pensions Act 2009 (2009 Act) covering ill health retirement grants. We have therefore interpreted this part of your request as for information about MSP ill-health retirement - grants paid under Schedule 2, Rules 2 and 3 of the 2009 Act. If we have misunderstood the position, then please let us know.

We are unable to provide details of the number of ill-health retirement grants paid in terms of Schedule 2, Rule 2 and the amount of the payments under Schedule 2, Rule 3 as we consider this information to be personal data and therefore exempt from disclosure in terms of section 38(1)(b) of FOI(S)A. The reasons in support of the use of this exemption are set out in the attached a refusal notice.

There is no section 471 of the 2009 Act. We have interpreted this part of the request as for information about MSP ill-health retirement grants in terms of Schedule 2, Rule 2(2) to the 2009 Act. Similar to the above we consider this information to be personal data and therefore exempt from disclosure in terms of section 38(1)(b) of FOI(S)A. The reasons in support of the use of this exemption are set out in the attached a refusal notice.

In keeping with our FOI procedures, this information may also be posted on the Parliament's disclosure log (usually within 24 hours). For further details on the Parliament's Disclosure Log and the information released under FOI, visit:

<https://archive2021.parliament.scot/abouttheparliament/17700.aspx>

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<https://www.parliament.scot/about/copyright>

We would welcome feedback or comment on how we handled your request. Please feel free to contact the Head of Information Governance at foi.officer@parliament.scot

Please find below Annex A, which explains how we handle FOI requests and reviews.

We are currently working remotely and so would ask you to contact us by email at foi.officer@parliament.scot

Yours sincerely,

Robin Davidson
Head of Information Governance

**REQUESTS MADE UNDER
THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

How we handle FOI requests

Information on how we handle FOI requests is available on the Parliament's website at:

[Privacy notice: Information rights: Freedom of Information request handling | Scottish Parliament Website](#)

Alternatively, please contact the Public Information & Resources Team to request a copy.

<https://www.parliament.scot/contact-us>

Review

If you are dissatisfied with the way in which we have dealt with your request for information, you can ask us to review our decision and actions. You must do this in writing (or other permanent form) within 40 working days of the date of this letter, stating the reasons for your dissatisfaction, and we will respond within 20 working days of receipt. A request for a review should be made to the Head of Information Governance:

Post: Head of Information Governance
The Scottish Parliament
Edinburgh
EH99 1SP
Telephone: 0131 348 5281

We welcome calls using the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL](#).

E-mail: foi.officer@parliament.scot

Application to the Scottish Information Commissioner

If, on the outcome of any review, you are still dissatisfied, or if we are unable to resolve any other complaint, then you can contact the Scottish Information Commissioner:

Post: The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

Email: www.itspublicknowledge.info/Appeal

Telephone: 01334 464610

Fax: 01334 464611

Website: www.itspublicknowledge.info

A decision by the Scottish Information Commissioner may be appealed on a point of law to the Court of Session.

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Feedback or comment

We would welcome feedback or comment on how we handled your request. Please contact the Head of Information Governance.

Data Protection

If you wish to find out more about how we use your personal data then you can access our Privacy Notice at the following link:

[Privacy notice: Information rights: Freedom of Information request handling | Scottish Parliament Website](#)

Complaints

If you are dissatisfied with the way in which we dealt with your enquiry, then you may wish to raise the matter with Public Information and Resources.

How to contact us

Post: The Scottish Parliament
Edinburgh
EH99 1SP

Telephone: 0131 348 5000
0800 092 7500 (Public Enquiries)
0131 348 5395 (Gàidhlig)

We also welcome calls using the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL](#).

E-mail: info@parliament.scot