



## PENSIONS/COMPENSATION COMMITTEE – 22<sup>ND</sup> APRIL 2024

### PUBLIC INTEREST TEST - EXEMPTION FROM DISCLOSURE OF DOCUMENTS SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

**SUBJECT:** APPLICATION FOR FLEXIBLE RETIREMENT WITH ACCESS TO NON ACTUARIALLY REDUCED PENSION BENEFITS AT TY CLYD RESIDENTIAL HOME DIRECTORATE OF SOCIAL SERVICES AND HOUSING

**REPORT BY:** HEAD OF LEGAL SERVICES AND MONITORING OFFICER

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendations to the Proper Officer:-

#### **EXEMPTIONS APPLYING TO THE REPORT:**

The report contains information relating to particular individuals (paragraph 12) and information relating to the financial or business affairs of particular persons (including the authority holding the information) (paragraph 14).

#### **FACTORS IN FAVOUR OF DISCLOSURE:**

There is a public interest in the way in which the Council will be organising its internal staffing arrangements.

#### **PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:**

The report contains information regarding internal staffing arrangements for the Directorate named in the individual report and included within the Schedules attached to the individual report is the detailed application for the early release of pension benefits which affects the particular individual named .

#### **MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:**

That paragraphs 12 and 14 should apply. My view on the Public Interest Test is that whilst there is a need to ensure transparency and accountability of a Public Authority for decisions taken in relation to staffing structures which may have an effect on the budget, this must be balanced against the fact that these matters have not yet been concluded together with the right of the named officers for privacy in respect of their financial/business affairs which at this stage outweigh the need for the information to be made public.

The information is not affected by any other statutory provision which requires the information to be publicly registered.

On that basis I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide upon when considering excluding the public from this part of the meeting.

#### **RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:**

On that basis I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, and that the report should be exempt.

Signed:

Handwritten signature of the Head of Legal Services and Monitoring Officer.

Date: 8<sup>th</sup> April, 2024

Post: Head of Legal Services and Monitoring Officer

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I accept the recommendation made above.

Handwritten signature of the Proper Officer, D.M. Street.

Signed:

Proper Officer

Date: 8<sup>th</sup> April 2024