

[REDACTED]

Cabinet Secretary for Finance and Economy
Cabinet Secretary for [REDACTED]
Deputy Director Budget, Pay & Pensions
Head of People Advice

[REDACTED]: IMMEDIATE INDIVIDUAL SETTLEMENT PROPOSAL

1. Purpose

To seek ministerial views on a financial settlement [REDACTED].

2. Priority

[REDACTED].

3. Background

3.1 Case Background

[REDACTED]

3.2 Legal Prospects and Risks

[REDACTED]

3.4 Timing

Following Judicial Mediation on [REDACTED] have 14 days to agree and pay this proposed settlement [REDACTED].

4. Settlement proposal

The Offer to the former employee

Consistent with the Scottish Public Finance Manual (SPFM), we seek ministerial views on the payment of an additional £70,000 settlement figure to the individual. This will bring the total contractual and non-contractual elements of the settlement agreed to £110,765.98 (including CILON and payment for accrued leave which was paid upon dismissal). This settlement offer and approach is consistent with guidance offered in the SPFM and with the Scottish Government's current severance scheme.

5. Affordability

The will meet the expenditure required within the [REDACTED] 2021/22 budget.

6. Value for money

[REDACTED].

7. SG Advice

7.1 Finance Pay Policy - Severance Policy team

Severance Policy Team have confirmed that the [REDACTED].

7.2 Sponsor team

- a. In scrutinising the business case, the sponsor team has considered four key areas: affordability, value for money, the offer to the individual and the impact on operational delivery. In addition they have tested the business case with the relevant expertise in the Scottish Government (Finance and HR).
- b. [REDACTED].
- c. The sponsor team has confirmed that [REDACTED] will meet the costs of this settlement agreement from funds within their budget for 2021/22. This is a one off scenario and with no ongoing costs to their budget.

8. Communications and Handling

8.1 [REDACTED].

9. Summary and Recommendation

9.1 [REDACTED] are seeking to put in place a financial settlement for a former employee [REDACTED].

9.2 [REDACTED] is seeking ministerial views [REDACTED] that the £95,000 cap cannot be applied to this settlement following not being able to reach settlement within the cap before and during Judicial Mediation.

9.3 [REDACTED].

9.4 We seek ministerial views on the proposed settlement figure of £70,000.

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness

Cabinet Secretary for Finance & Economy			X		
Cabinet Secretary for [REDACTED]	X	X			



Signed: [REDACTED] [REDACTED]	Date: [REDACTED]
Contact Details (email and direct dial phone number):	[REDACTED]
Role / Position in organisation:	[REDACTED]

Send the completed form to your SG Sponsor Team

If you do not have a Sponsor Team, send the completed form to your DG Office, copied to SG [People Directorate](#)/Finance Business Partner/[Severance Policy Team](#)

Scottish Government Sponsor Team Comments:

Name: [REDACTED]	Job Title: [REDACTED]	Ext No : [REDACTED]

Scottish Government People Directorate Comments:

<p>I am content with the recommendation that a settlement agreement is pursued in order to conclude this active employment tribunal and that this is in line with the relevant provisions of the SPFM. I note that legal advice on prospects and risks of proceeding with the case has been obtained. I further note that the proposed total settlement figure includes contractual payments made to the individual on their dismissal.</p>		
Name: Judith MacKinnon	Job Title: Head of People Advice	Ext No : 43296

Scottish Government Public Spending Division (Severance Policy Team):

Does the scheme comply with the Settlement and Severance chapter of the Scottish Public Finance Manual?		
Yes:	No:	
Name: Douglas McLaren	Job Title: Deputy Director Budget, Pay & Pensions	Ext No : 47588

Scottish Government Finance Business Partner Comments:

Name:	Job Title: Finance Business Partner	Ext No :

FOR PORTFOLIO MINISTERIAL USE (where required)		
Approved:	Date:	
Conditions attached to approval or reasons for refusal:		
Name:	Name of Ministerial Private Office :	Ext no:

CABINET SECRETARY FOR FINANCE (required in all cases)		
Approved:	Date:	
Conditions attached to approval or reasons for refusal:		
Name:	Name of Ministerial Private Office :	Ext no:

