



Winding up Budget

2 July 2021

Request for Information.

Thank you for your request received on 14 May in which you asked:

Please confirm the "Winding up budget" for each MS that lost their seat in the recent Senydd Election.

The **Remuneration Board**, which is independent of the Senedd, is responsible for setting the pay, pensions and allowances of Members of the Senedd and Members' support staff.

The rules surrounding what Members of the Senedd are entitled to claim for are contained within the **Determination**.

In reference to your specific request, chapter 9.1 of the Determination then in force (*Winding up allowance*), details a former Member's entitlement as at the end of the (then) Senedd which was dissolved on 29 April 2021.

Expense claims will broadly fall under one of four main allowance types:

- a) Office Costs Allowance (i.e. office expenses related to their duties as an Member of the Senedd)
- b) Additional Costs Allowance (i.e. expenses incurred in staying overnight away from their main home for the purpose of performing their duties as a Member of the Senedd)
- c) Travel Costs Allowance (i.e. travel expenses incurred by Members due to their Senedd duties)
- d) Staffing Expenditure Allowance (i.e. expenses incurred related to the employment of staff).

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Expense claims relating to points a-c, above are published on our [allowances system](#) three months in arrears. Please also note that former Members have a maximum duration of three months to submit their claims.

The staffing expenditure allowance will be published at the end of the financial year on our [website](#) under the heading - *Staffing Expenditure Allowance and Family Member Overtime Payments*.

As there is planned publication of the information you have requested, we do not propose to provide the information at this stage as you will be able to view the information when it is published. Therefore, the information requested is exempt under section 22 of the Freedom of Information Act 2000. Further reasoning for the application of this exemption is set out in the [Annex](#).

Yours sincerely

Freedom of Information Manager
Welsh Parliament

Your request has been considered according to the principles set out in the **Code of Practice on Public Access to Information**. If you have any questions regarding this response please contact me. If you feel you have cause for complaint, please follow the guidance below.

Cause for concern or complaint with your FOI response?

If you are dissatisfied with the Welsh Parliament's handling of your request, you can request an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Freedom of Information Manager at:

Information-request@senedd.wales or in writing to

Welsh Parliament
Governance and Assurance
Cardiff Bay
Cardiff
CF99 1SN

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Annex

Section 22

Section 22 of the Freedom of Information Act 2000 provides that:

(1) Information is exempt information if:

- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not);*
- b) the information was already held with a view to such publication at the time when the request for information was made, and*
- (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).*

Section 22 is available if the public authority in question holds the requested information and intends to publish it at some future date. However, in all the circumstances it must be reasonable to withhold the information until its planned publication.

The Members' Business Support team are currently working on the claims of a number of former Members. As former Members are able to submit expenses claims up to three months from when the expense is incurred, they are, in practical terms, likely to submit claims anytime until the beginning of August 2021. Therefore, some of the requested information may not yet be held by the Commission or available to release. We consider it reasonable to withhold the information requested at this stage and release it as planned on the allowances system or at the end of the financial year (for staffing expenditure) as part of a formal publication once the information is processed and complete.

Section 22 is a qualified exemption and as such the "public interest test" needs to be considered.

This test requires us to consider whether the public interest in disclosure at this earlier stage outweighs the public interest in withholding the information until the planned date of publication.

Whilst there is a public interest in transparency in general, to release incomplete information at this stage, whilst the Members' Business Support team are still checking and processing a number of claims and where further claims may still be received, would provide an incomplete and misleading picture of the total claims made by former Members. The planned publications will allow the final figures to be published in their full

context and allow for an accurate assessment of former Members' expenditure to be carried out by members of the general public and other interested parties.

In any case, as there is a planned publication of the information you have requested, we do not consider that the public interest in transparency will be hindered by disclosing the information as part of planned publications, rather than at this earlier stage.

Publishing the information in the course of planned disclosures will also allow for simultaneous access by the general public to the full information, rather than piecemeal disclosure of incomplete, non-contextualised information to a small number of individuals.

Accordingly, we are of the view that the public interest in adhering to the pre-existing arrangements for publication outweighs the public interest in earlier disclosure.