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FMPG/2021/006

Response sent by email

14th May 2021

Dear [REDACTED]

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

Thank you for your request dated 18th April 2021 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

You asked the following:

1. Please list out all payments made to Mr Hair in his capacity of Turnaround Director since he took office and distinguish each payment between fees and expenses.
2. The date of each payment made.
3. Please can you give Mr Hair's employment status with the company. In what capacity is he employed with the company. Is he an employee or self-employed consultant or does another arrangement apply. If so what is it?
4. What is the contract term with Mr Hair. Is he a permanent employee or operating on a fixed term contract? If so, what is the period of the fixed term and when does it expire?



Registered in Scotland No. SC638457
Registered office: Ferguson Marine (Port Glasgow) Ltd.
Newark Works, Castle Road
Port Glasgow, Renfrewshire, PA14 5NG
VAT number: GB 340 6721 21

Response to your request

Please find our response to your request for information:

1. Please find table below which sets out all payments made to Mr Hair since his appointment as Turnaround Director on 14th August 2019. The payments have been broken down to reflect fees, expenses and VAT paid along with the date that each payment was made.

The period to 31st January 2020 had been consolidated into a single summary due to the complexities of payroll whilst the Administrators were involved.

Payment Date	Fee (after deductions)	Expenses	VAT	Total
Period to 31st January 2020				
10th October				£56,430.00
12th November				£43,460.06
18th December				£60,188.18
21st January				£12,080.51
30th January				£37,894.42
Total for this period	£141,622.57	£13,810.49	£54,620.11	£210,053.17
2020				
27th February	£31,884.83	£3,122.87	£12,309.57	£47,317.27
26th March	£29,619.08	£0.00	£10,830.00	£40,449.08
27th April	£29,476.79	£5,883.59	£11,949.72	£47,310.10
26th May	£26,757.89	£0.00	£9,747.00	£36,504.89
26th June	£23,359.04	£0.00	£8,464.50	£31,823.54
24th July	£28,117.57	£451.82	£10,430.50	£38,999.89
26th August	£29,943.77	£1,860.05	£12,500.90	£44,304.72
25th September	£25,720.39	£5,046.47	£9,833.32	£40,600.18
26th October	£26,943.37	£2,993.60	£10,294.42	£40,231.39
26th November	£28,140.84	£2,868.31	£11,192.76	£42,201.91
17th December	£25,693.74	£3,718.89	£10,439.48	£39,852.11
2021				
26th January	£30,587.89	£2,178.72	£11,978.24	£44,744.85
26th February	£24,470.09	£3,190.29	£9,872.06	£37,532.44
26th March	£24,469.91	£2,944.86	£9,822.97	£37,237.74
26th April	£24,262.00	£3,405.41	£11,300.18	£38,967.59

2. The date of each payment made is detailed in the payments table above.

3. Mr Hair is not an employee of Ferguson Marine (Port Glasgow) Ltd. His services are provided through a contract between the organisation and a limited company of which Mr Hair is a Director. Mr Hair's position is considered to be "inside IR35" and his fees are therefore liable for normal payroll tax deductions.
4. Mr Hair's current contract runs to 31st December 2021.

You're right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to:

FOI Officer
Ferguson Marine (Port Glasgow) Ltd
Newark Works
Castle Road
Port Glasgow
PA14 5NG
foi@fergusonmarine.com

Your review request will be forwarded to the appropriate reviewer. You should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your rights is available on the Commissioner's website at: www.itspublicknowledge.info.

Yours sincerely,

A large black rectangular redaction box covering the signature of the FOI Officer.

Victoria Law
FOI Officer