



University
of Glasgow

Our ref: Fol Review 2009/65 – F0059800

16 June 2009

Craig Halliday

Request-10640-417869d5@whatdotheyknow.com

Dear Mr Halliday,

Freedom of Information (Scotland) Act 2002 – Review Outcome

I write with regard to your request for a review of the University's response to your Freedom of Information request (Our Ref Fol 2009/65-F0059800).

I believe that the questions concerning the normal maximum amount Glasgow University is prepared to pay for relocation expenses and the location of the website at which the policy can be accessed have been answered.

I would add that the policy specifically states that "the Principal may exercise discretion in granting additional support."

Your initial request for information about the number of times the normal maximum amount for relocation expenses has been exceeded since October 2003, as well as the actual amount paid, when it was authorised and when paid was considered to exceed the fee limit as set out in the Freedom of Information (Fees for Required Disclosure) (Scotland) Regulation 2004.

In your Request for Review you suggested that we use the PAYE records to find the number of times the normal maximum amount has been exceeded since October 2003. The Finance Office has carried out this exercise and I can give the following information:

2003/2004	4
2004/2005	4
2005/2006	6
2006/2007	6
2007/2008	4
2008/2009	5

Concerning the question of the personal relocation expenses of the Finance Director Mr Robert Fraser, and the headings and amounts under which this total amount was paid, I agree with the initial response from the University that this is personal data as defined in the Data Protection Act 1998 and the release of this information would be in breach of the data protection principles as defined in the Data Protection Act 1998.

The exemption from release of the information applies is specified under sections 38(1)(b) and 38(2) of the Freedom of Information (Scotland) Act 2002.

May I refer to the decision 191/2007 by the Scottish Information Commissioner in which 'the Commissioner took account of the fact that information concerning an individual's financial or contractual arrangement with their employer will relate to that individual's private life in a significant sense.'

The supply of documents under the terms of the Freedom of Information (Scotland) Act 2002 does not give the applicant or whoever receives the information any right to re-use it in such a way that might infringe the Copyright, Designs and Patents Act 1988 (for example, by making multiple copies, publishing or otherwise distributing the information to other individuals and the public). The Freedom of Information (Scotland) Act 2002 (Consequential Modifications) Order 2004 ensured that Section 50 of the Copyright, Designs and Patents Act 1988 ("CDPA") applies to the Freedom of Information (Scotland) Act 2002 ("FOISA").

Breach of copyright law is an actionable offence and the University expressly reserves its rights and remedies available to it pursuant to the CDPA and common law. Further information on copyright is available at the following website:

<http://www.ipa.gov.uk/copy.htm>

I confirm that this letter signifies the end of the University's internal procedures. If you remain dissatisfied with the outcome of this review you can appeal to the Office of the Scottish Information Commissioner at the following address:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St. Andrews
Fife KY16 9DS

Tel: 01334 646610

Email: enquiries@itspublicknowledge.info

Please be advised there is a right of appeal to the Court of Session against the Commissioner's decisions, but only on a point of law.

Yours sincerely,

Prof Graham D Caie
Clerk of Senate & Vice Principal