



University
of Glasgow

Our ref: Fol Review 2009/116 –F0063478

17 July 2009

Mr Louis Seaman
Request-12576-42d9e8c2@whatdotheyknow.com

Dear Mr Seaman,

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 2009/92-F0060903). Your areas of concern relate to:

The accuracy of the response “The Director of Student Services is a new title that has been conferred on an existing member of staff who is undertaking additional management responsibilities. This is not a new post and therefore was not advertised.”

You have asked “Based on what criteria have you judged this post not to be new? What criteria determine whether a position is a new post or is simply granted a new title?”

In 2006 the University of Glasgow implemented the Framework Agreement for the Modernisation of Pay Structures. At that time, a “best fit” approach was agreed with the recognised trades unions. This approach uses a 75-80% criterion in relation to the grading of posts which straddle two grades. This criterion is also applied when roles and responsibilities are redefined. Moreover, the list of duties set out in job descriptions for Management, Professional and Administrative posts at the University of Glasgow commonly includes a reference to the post holder being required to carry out “any other duties commensurate with the role”. This allows managers the necessary discretion to redefine roles as service requirements and provision evolve.

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.ipo.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,

Dr Anne B Mitchell
Corporate Projects Manager