



University
of Glasgow

Our ref: Fol Review 2010/04–F0085877

18 February 2010

Diane Scott [request-25099-c8c58e72@whatdotheyknow.com]

Dear Ms Scott,

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 2009/214–F0082080). Your areas of concern relate to:

The reason why the University took longer than the maximum time permitted by law to respond to your request, and whether any lessons have been learned.

The reasons for withholding information.

In addition you seek the name of the person conducting the appeal, details of their experience, including any formal training in the operation of the Freedom of Information (Scotland) Act 2002.

The University has reviewed your request and the response you were sent on 4 February 2010.

On behalf of the University I again apologise for the delay in issuing a response to your request. This was due to workloads in the Data Protection and Freedom of Information Office and the time required to scrutinise documentation for the response.

The reasons for withholding information have been fully explained in the response to your request. Having reviewed these, I concur that disclosure would prejudice substantially the University's commercial interests and that the public interest is best served by withholding the information.

This review has been carried out by the senior University manager named in this response who has, in previous roles in the University of Glasgow as Fol Co-ordinator, attended the training sessions provided in support of that role; has

attended Scottish Executive presentations on the Act at the time when it was passed; and has received one to one training relating to the role of reviewer, provided by the University's FOI Office.

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.ipso.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