

James Watson
request-27815-84cb0bbc@whatdotheyknow.com

22 Feb 2010

Our Ref: FOI 2010/27 – F0084448

Dear Mr Watson,

Re: Freedom of Information (Scotland) Act 2002 – Request for Information

Thank you for your email which was received by the University on 25 January 2010 timed 19:51 hours, requesting the following information:

“I have been trying to comprehend why the University of Glasgow has paid £293,000 to the supplier of its new Student Information System for due diligence. I have asked a large number of UK Universities for details of the cost of their due diligence for procuring a student information system and whether any supplier was paid for this.

From the replies that I have received (which you can find on this site) the largest amount spent on due diligence was by Oxford University, £24,000. From the correspondence I have found that no university has ever paid the supplier of its student information system for due diligence.

I therefore wish to request that you send me the case justifying the employment of the student information system supplier for the due diligence. I am particularly interested to know the rationale for paying the supplier such a huge sum of money for this task. After all, due diligence is about assessing the ability of the supplier to deliver. I am keen to learn why the University of Glasgow has paid the supplier to assess its own ability to deliver?”

University's Response

The decision to undertake due diligence with the preferred supplier was taken prior to final supplier selection. This decision reflected the Project Board's assessment that undertaking due diligence prior to the contract being agreed would offset expenses likely to be incurred further down the line in ensuring the system fully met with the University's requirements. Therefore the case justifying the employment of the student information system supplier for due diligence is not held. Accordingly, the University of Glasgow does not hold the information that you have requested and is not aware of any other public authority that could

respond to your request. Section 17 of FOISA states that where public authorities receive requests for information that they do not hold, they must issue a notice advising that they do not hold the requested information.

Please see the below extract from the minutes of the SLP Project Board meeting of 4th June 2008 for further clarification of the above:

“The ITPD evaluation was not the last step in the process. The ITSFT would be issued on 9th July 2008. This document would pull all the tenders into line and define how we would complete the procurement phase. On receipt of the ITSFT responses (23rd July 2008), a further evaluation exercise would take place to enable the Project Board to select the preferred supplier.

Following this decision due diligence would be carried out with the preferred supplier. This would involve more work than normal pre-contract however this exercise would help mitigate the risk on any gaps identified.”

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>

Your right to seek a review

Should you be dissatisfied with the way in which the University has dealt with your request, you have the right to require us to review our actions and decisions. If you wish to request a review, please contact the University Secretary, University Court Office, Gilbert Scott Building, University of Glasgow, Glasgow, Scotland G12 8QQ or e-mail: foi@gla.ac.uk within 40 working days. Your request must be in a recordable format (letter, email, audio tape, etc). You will receive a full response to your request for review within 20 working days of its receipt.

If you are dissatisfied with the way in which we have handled your request for review you may ask the Scottish Information Commissioner to review our decision. You must submit your complaint in writing to the Commissioner within 6 months of receiving the response to review letter. The Commissioner may be contacted as follows:

The Scottish Information Commissioner

Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Telephone: 01334 464610
Fax: 01334 464611
Website www.itspublicknowledge.info
E-mail: enquiries@itspublicknowledge.info

An appeal, on a point of law, to the Court of Session may be made against a decision by the Commissioner.

For further information on the review procedure please refer to
(<http://www.gla.ac.uk/services/dpfoioffice/policiesandprocedures/foisa-complaintsandreview/>)
All complaints regarding requests for information will be handled in accordance with this procedure.

Yours sincerely,

Data Protection and Freedom of Information Office