

Mr S Cross
request-284xxxxxxxxxxxx@xxxxxxxxxxxxxxxxxxx

5 March 2010

Our Ref: FOI 2010/32 – F0085861

Dear Mr Cross,

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

Thank you for your email which was received by the University on 6 February timed 23:50 hours, requesting the following information:

“I have just read in the Glasgow Herald that the Principal has accepted a total salary package of £283,000 a rise of 8% on the previous year for the same post. At a time when the rest of the staff are having to accept 0.5% pay packages this seems a bit off. I have 2 questions that i would like to ask:

1) Are these figures true?

and

2) What are the total salary packages of the following directorate level staff, what pay rises have they accepted this year and what are the terms and conditions of their employment in respect of meeting performance targets. Or put bluntly how much do they earn and if they are getting pay rises greater than 0.5% over last year, why?

**Andrea Nolan - Deputy Vice Chancellor
Frank Coton - VP for Learning and Teaching
Steve Beaumont - VP R+E
Neil Juster - VP Strategy and Resources
Christine Lowther - Directory of Student Services
Susan Stewart - Director of Corporate Communications
Fiona Docherty - International Director
Sandy MacDonald - Director IT Services
and last but not least
David Newall - Secretary of Court”**

University's Response

1. The figures to which you refer (which includes both annual salary and pension contributions) and as reported in the Herald on 6 February 2010, relate to the previous Principal of the University of Glasgow, Sir Muir Russell and not to Professor Anton Muscatelli, the current Principal.
2. None of the directorate level staff noted below have accepted pay rises greater than 0.5%, those staff who are also members of the University's Senior Management Group (as indicated by *, below) are subject to a pay freeze during the current year.

Salaries of members of the Senior Management Group are reviewed annually by the University's Remuneration Committee, which considers their performance over the previous year, as assessed by their line manager. For senior managers who are not members of SMG, the Professorial and Senior Administrative Review Board receives an annual submission on performance which it uses as the basis for deciding on any performance-related award that would be additional to the national salary award.

Please note, in common with all staff members eligible to join the Universities Superannuation Scheme (USS), the named individuals receive 16% of their salary in employer's contributions.

	Salary
*Andrea Nolan	110,001 - 120,000
*Frank Coton	80,001 - 90,000
*Steve Beaumont	110,001 - 120,000
*Neal Juster	100,001 - 110,000
Christine Lowther	70,001 - 80,000
*Susan Stewart	90,001 - 100,000
Fiona Docherty	80,001 - 90,000
Sandy Macdonald	80,001 - 90,000
*David Newall	140,001 - 150,000

Please be advised salary details for the above posts have been released in £10,000 bandings as: (a) the individual salary information are considered as personal data as defined in the Data Protection Act 1998 ("DPA"); and (b) the release of such salary information would be in breach of the data protection principles as set-out in the Data Protection Act 1998. Therefore the exemption from release of such information applies as specified under section 38(1) (b) and 38(2) (a) (i) of FOISA. The University takes the view that disclosure of such personal data would breach the following Data Protection Principles of the DPA:

Data Protection Principle 1:

Personal data shall be processed fairly and lawfully.

The release of the precise salary information, will undermine the expectation of the individual that his/her personal data would not be released. In particular, the University notes the decision of the Information Commissioner in the decision relating to *The University of Cambridge (30 July 2007)*, in which the Information Commissioner states that a key factor to consider is whether there would be an expectation of disclosure.

Data Protection Principle 6:

Personal data shall be processed in accordance with the rights of data subjects.

The release of personal data would not be in accordance with that individual's rights to privacy. If the data were disclosed, it would constitute processing for an unspecified purpose.

Data Protection Principle 7:

Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data.

The release of personal data may breach the requirement to keep such personal data secure.

Data Protection Principle 8:

Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects.

The release of personal data may result in a real risk of personal data being displayed on the internet and thus viewable outside the EEA.

Pursuant to Sections 38(1)(b) and 38(2)(a)(i) of FOISA there is an absolute exemption if the disclosure would breach any of the Data Protection Principles of the DPA. For the purpose of this exemption alone, the University is not obliged to consider the public interest.

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: xxx@xxx.xx.xx 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