

Wolfram Bayer
request-30746-9e1f795c@whatdotheyknow.com

12 April 2010

Our Ref: FOI 2010/63 – F0089537

Dear Mr Bayer,

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

Thank you for your email which was received by the University on 14 March 2010 timed 16:07 hours, requesting the following information:

a. In response to my recent Fol request (your ref: Fol Review 2010/01-F0084126)

You have replied

“I have reviewed the response made to you and, while it does not answer your questions 1 (a), (b) and (c) directly the response made is correct. There is perhaps confusion over expenditure on Phase 1 of the project (the pre-contract phase) and expenditure incurred in particular years which I will attempt to clarify:

The cost budgets for the Student Lifecycle Project (SLP) in 2007/08 and 2008/09, as set through the University's budget setting process, were £650k and £3,320k respectively. All expenditure charged against the project was authorised in line with the hierarchical structure of delegated authority which governs budgetary authority across the University. Pre contract SLP expenditure was incurred in 2007/08 and 2008/09 and has been charged against the annual budgets in line with the delegated authorities in place for this project. Pre and post contract expenditure is therefore contained within the overall budgets set in these two years for the delivery of SLP as a whole. I hope you will agree therefore that there was no overspend on budget and therefore no need for a case to be made and approved or otherwise.”

On studying the information you have given to date about this project I have noticed that the budget was approved by the University Senior Management Group on 17 March 2009. This clearly tells me that you were spending money against an unapproved budget. Could you please explain your reply in light of this? Also I am still waiting to know who made the decision to spend the University's money from a non existent budget?

DATA PROTECTION AND FREEDOM OF INFORMATION OFFICE

Main Building, University of Glasgow, Glasgow G12 8QQ

Data Protection: Telephone: 0141-330-3111 E-Mail: data.protection@gla.ac.uk

Freedom of Information: Telephone: 0141-330-2523 E-Mail: foi@gla.ac.uk

The University of Glasgow, charity number SC004401

b. Could you please send me the breakdown of the expenditure against the budget allocated to this project to date?

University's Response

a) i. Could you please explain your reply in light of this?

Part 1(4) of the Freedom of Information (Scotland) Act 2002 states that "the information to be given by the authority is that held by it at the time the request is received". This constitutes information held in a recorded format such as a document, email, photograph, data or a publication. It does not include new advice, analysis, explanation or opinion. Therefore, public authorities are not obliged to provide opinions or explanations, rather to provide access to information held in a recorded format. As such, 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.

a) ii. Also I am still waiting to know who made the decision to spend the University's money from a non existent budget?

Please see our previous responses to your request FOI 2009/205 - F0080188 and review FOI Review 2010/01 - F0084126 for details of the authorisation process regarding the queried expenditure. This information is currently accessible from the following locations:

<http://www.whatdotheyknow.com/request/24199/response/63688/attach/2/RESPONSE%20F0080188.pdf>

<http://www.whatdotheyknow.com/request/24199/response/70395/attach/3/foi%20bayer%20110210.pdf>

Though the University of Glasgow does hold the information that you have requested, the information is exempt under section 25 of the Freedom of Information (Scotland) Act 2002, as it is otherwise accessible.

b) Could you please send me the breakdown of the expenditure against the budget allocated to this project to date?

Please see attached Appendix A for details of the expenditure against the budget to date.

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