

Harrison Bott
Greater Glasgow Student Tenants Union
request-721100-17ddfb05@whatdotheyknow.com

19 February 2021

Our Ref: FOI 2021/044 – F1208760

Dear Harrison Bott,

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

Thank you for your email which was received by the University on 23 January 2021 timed 22:31 hours and clarified on 26 January 2021 timed 17:01 hours, requesting the following information:

Original request

i. All of the information submitted to the Scottish Funding Council on 18/01/2021 in response to the Call For Information, reference “SFC/CI/01/2021”, outlined in the following:

http://www.sfc.ac.uk/web/FILES/callsforinformation_sfcci012021/Updated_estimates_of_non-EU_international_student_fee_income_AY_2020-21.pdf

ii. All of the information submitted to the SFC outlined in the Call For Information, reference “SFC/CI/01/2021” document under points 2. and 3. (see above for the website address):

“2. Prior to the COVID-19 pandemic, universities provided two main financial returns to SFC in the course of the year: • Forecasts submitted at the end of June (outturn forecast for the current year and forecasts for the following three years). • Annual accounts submitted at the end of December (audited financial statements and supporting reports by institutions’ audit committee, internal and external auditors)”

“3. As result of the COVID-19 pandemic, SFC requested institutions to provide 3. additional financial returns, comprising updated forecasts for 2019-20 and 2020-21, by the end of April and the end of July 2020. These replaced the main 2020 Strategic Plan Forecast return. Institutions also provided updated financial forecasts at the end of November 2020”

DATA PROTECTION AND FREEDOM OF INFORMATION OFFICE

University of Glasgow, Tay House, Glasgow G12 8QQ

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

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

The University of Glasgow, charity number SC004401

lii. The full financial disclosure, of income and expenditure of the following funds listed on the University website (<https://www.gla.ac.uk/myglasgow/registry/finance/funds/#>) and the other funds listed below :

Hardship Fund
Discretionary and Childcare Funds
Dental Student Support Grant (DSSG)
The Sutherland Page Trust
Nursing and Midwifery Discretionary Fund

And
(<https://www.gla.ac.uk/scholarships/englandwalesandnorthernireland/>)

RUK Access Bursary
RUK Excellence Bursary

Clarification requested

We would be grateful if you can advise what time period you require. In addition, can you please provide clarification on what is meant by "full financial disclosure".

Clarification received

The time period required would be for the current academic year, and the previous two academic years if possible.

In this instance "full financial disclosure" can be taken to mean:

- Statement of Comprehensive Income and Expenditure (i.e how much money is coming into the funds, and how much is going out)
- Balance Sheet (the current state of the finances)
- Reserves (if any)

University's Response

i. All of the information submitted to the Scottish Funding Council on 18/01/2021 in response to the Call For Information, reference "SFC/CI/01/2021"

ii. All of the information submitted to the SFC outlined in the Call For Information, reference "SFC/CI/01/2021" document under points 2. and 3.

2. Prior to the COVID-19 pandemic, universities provided two main financial returns to SFC in the course of the year: • Forecasts submitted at the end of June (outturn forecast for the current year and forecasts for the following three years). • Annual accounts

submitted at the end of December (audited financial statements and supporting reports by institutions' audit committee, internal and external auditors)

3. As result of the COVID-19 pandemic, SFC requested institutions to provide 3.additional financial returns, comprising updated forecasts for 2019-20 and 2020-21, by the end of April and the end of July 2020. These replaced the main 2020 Strategic Plan Forecast return. Institutions also provided updated financial forecasts at the end of November 2020

The University's audited financial statements for the year 2019/20 are available on the Finance Office website at <https://www.gla.ac.uk/myglasgow/finance/financialstatements/> as submitted to the SFC in December 2020.

Although 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.

The University considers the request for forecasts submitted to the Scottish Funding Council (SFC) to be exempt under section 30(b) of the Freedom of Information (Scotland) Act 2002 (FOISA), as the disclosure of this information would, or would be likely to, cause substantial harm to the free and frank provision of advice and exchange of views for the purposes of deliberation between the University and the SFC. Additionally, the information is exempt under section 33(1)(b) of FOISA as disclosure would, or would be likely to, prejudice substantially the commercial interests of the University respectively. Forecasts are by their nature hypothetical, rather than definitive, estimates at a certain point in time; to put them into the public domain could be not only misleading but also potentially reputationally and consequently financially damaging. The range of forecasts provided consider various scenarios that may occur for discussion in relation to funding and as such they could damage the University's relationship with the SFC were they to be released. Additionally, release of the requested data could be considered misleading to the public outwith the context of the discussions or undermine the University's financial position with its stakeholders.

Notwithstanding the result of the "harm test", sections 30 and 33 of the Freedom of Information (Scotland) Act 2002 do not provide an absolute exemption to the general entitlement to information. The University has therefore considered whether, notwithstanding the exemption, it is in the public interest to release the information.

The University has considered the public interest by applying the "public interest test". That is, the University has balanced whether the release of the information is in the public interest against whether disclosure would substantially prejudice its own, or another person's, commercial interests. The view of the Scottish Information Commissioner, in advice on the application of the "public interest test", is that the public interest should not be interpreted as "of interest to the public". That is, the potential release of the information must be in the interests of the public and not merely of an individual interest. The public interest in the disclosure of the potential scenarios outlined in our forecasts to the SFC requested is slight. The University of Glasgow operates in a very competitive environment and the public interest is in ensuring the continuing success of the University in that environment. The disclosure of the requested

information would be likely to be detrimental to the public interest by inhibiting frank discussion with the Funding Council of the potential impact of various scenarios on our funding, and causing confusion as to the University's financial position and potentially causing unnecessary concern amongst the University's current and future stakeholders, thereby being detrimental to the University's continuing operations.

The University therefore concludes that the "public interest test", as required when applying section 30(b) and section 33(1)(b) of the Freedom of Information (Scotland) Act 2002, is met as the disclosure of the information requested would prejudice substantially both the exchange of advice and the commercial interests and standing of the University in respect to current and future stakeholders, including students, staff, investors and institutional supporters. The public interest in withholding the information is therefore greater than the public interest in its release

lii. The full financial disclosure, of income and expenditure of the following funds listed on the University website (<https://www.gla.ac.uk/myglasgow/registry/finance/funds/#>) and the other funds listed below :

**Hardship Fund
Discretionary and Childcare Funds
Dental Student Support Grant (DSSG)
The Sutherland Page Trust
Nursing and Midwifery Discretionary Fund
RUK Access Bursary
RUK Excellence Bursary**

Please see the attached **Appendix A**. Please note that additional details on the RUK Access Bursary and RUK Excellence Bursary are not held by central Finance.

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 Deputy 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). As the University of Glasgow is a Scottish Public Authority, your request is subject to the terms of the Freedom of Information (Scotland) Act 2002 ("FOISA"). The Coronavirus (Scotland) Act 2020 provides for an extension to the normal timescale for response to FOI requests for review to 60 working days from receipt of a request. You will receive a full response to your request for review within 60 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 to the Commissioner within 6 months of receiving the response to review letter. The Commissioner's Office may be contacted as follows:

Online Appeal Service:

Website: www.itspublicknowledge.info/Appeal

By post:

The Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

Telephone: 01334 464610

Fax: 01334 464611

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