



30 June 2021

By email to: request-765107-2c0ef980@whatdotheyknow.com

Dear Edward Williams,

I refer to your Freedom of Information request received on 14 June 2021 about complaints made regarding Lisa Keogh and the free speech and equality policies at the University.

Details of any exemptions applied are below. Where any information is “not held”, this is explained below. Those parts of the University’s response (together with the details of how to ask the University to review the management of your request, or thereafter to seek a review by the Scottish Information Commissioner, should you wish to do so – please see below) constitutes the notice in writing that the information specified is not held by the University which is required under section 17 of the Freedom of Information (Scotland) Act 2002 (“FOISA”).

Your enquiry and the University’s response.

1. Provide the complaints made regarding Lisa Keogh.
The complaints were that the student made inappropriate comments during class discussions for modules [redacted], which could be construed as discriminatory, and had continued to make offensive comments and behave in a disrespectful manner during class discussions, despite being made aware that their behaviour was harmful to others and despite reminders about the University’s policies related to conduct.
2. Provide your free speech and equality policy(s) in force when the complaints were made.
The University’s Equality and Diversity Policy is publicly available here: <https://www.abertay.ac.uk/media/9661/2021-equality-and-diversity-policy.pdf>. The University does not have a policy on free speech, nor does it have any policies that constrain lawful free speech. Free speech within the law and challenging debate is encouraged by the University for both staff and students. For additional guidance, the University has a legal obligation to investigate all complaints but that does not mean every element of a complaint is carried forward to any disciplinary process that may or may not follow.

This concludes the University’s response.

Your right to seek a review of how your information request was managed

If you are not satisfied with our response or our reasoning set out above, you have 40 working days in which to require a review of our decision. Any such request should be put in writing and should be sent to the University Secretary, Abertay University, at the address provided below. The request should:

- (a) detail your request for a review of our decision to be undertaken
- (b) describe the nature of your original request
- (c) explain the reasons why you are dissatisfied with our response

University Secretary
Abertay University
Bell Street
Dundee
DD1 1HD
Tel (01382) 308016

E-mail: S.Stewart@abertay.ac.uk

If you remain dissatisfied with how your request for information has been dealt with, you also have the right, in terms of section 47 of FOISA, and within 6 months, to apply to the Scottish Information Commissioner for a decision as to whether we have handled your request properly.

Information relating to your right to seek review is available from the Scottish Information Commissioner's website:

<http://www.itspublicknowledge.info>

or by contacting the Scottish Information Commissioner's Office at the following address:

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

Telephone: 01334 464610

Fax: 01334 464611

E-mail: <mailto:enquiries@sps.gov.scot>

Website: <http://www.itspublicknowledge.info>

Or via the SIC's online appeals service:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

If you are unhappy with the Commissioner's decision, you also have the right to appeal further to the Court of Session, on a point of law only, under section 56 of FOISA. Please refer to the Commissioner's website (details above) for further information about your right of appeal to the Court of Session.

Yours sincerely,

FOI Processing

Abertay University

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