

Information Assurance and Governance  
Office of the Principal

12 July 2019

Dear Ms Garg,

**Freedom of Information (Scotland) Act 2002**  
**Our Ref: 241-19**

I refer to your request for the following information, dated 15 June 2019:

- *The highest and average marks for the 2019 modules: MN1001, EC1002, EC1008 and MN1002.*

The University has managed your request under the provisions of the Freedom of Information (Scotland) Act 2002 ("the FOISA").

**The University's response**

The University has reviewed the processes involved to respond to requests such as your own and during that review, it was established that:

- The University does not have any business requirement to work with average module grades. Averages and highest marks in isolation, say nothing meaningful about the performance of a module: given the range of variables that can affect module performance, average module data does not provide any means for comparison.
- The highest module mark cannot simply be extracted from the records that we hold, it first has to be identified which involves intellectual input.
- Calculating average and highest module marks is a multi-stage process which involves: (a) retrieval of data from the electronic student record; and (b) a process of data analysis and rationalisation, so that irrelevant data can be identified, removed, and then substituted with the correct values, before an average can be calculated.
- The work involved in step (b), requires exercise of significant skill and judgement i.e. a specialist knowledge of the operation of the University modular scheme and rules for academic progression to ensure that the retrieved data-set contains the correct elements, and if not, for the required values to be determined.

Having/

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foi@st-andrews.ac.uk

Having considered a series of decisions from the Scottish Information Commissioner (“the SIC”), including *Decision 030/2019: Mr H and the University of Edinburgh*, as to when ‘new information is being created’ and having assessed the internal business processes, the University is satisfied that the work at step (b) goes beyond the retrieval of information and the presentation of information in a summary or digest. As a Scottish public authority is not required to create new information in order to answer an information request, in this instance, it follows that the information you seek is not held by the University. Freedom of information law requires that a Scottish public authority gives notice where information requested of it is not held. Under section 17(1) of the FOISA notice is therefore given that the information you seek would have to be created by the University and is therefore not held.

The University has previously answered similar requests for information. That said, the legislation requires that responses are made on a case-by-case basis. Significant resource is required to produce the information in answer to requests of this nature. The University in considering its obligations to operate efficiently and effectively has now found that creating new information to respond to such requests is not a use of public monies that can be justified.

### **Duty to advise and assist**

It may be the case that the information you seek on module performance can be obtained from the information sources which the University holds.

While FOISA is in most instances applicant and motive blind, if you are willing, I would be happy to discuss your specific requirements with you to understand if an alternative source of information exists, which may aid you with your inquiry.

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

If you are not satisfied with the University’s response and/or our reasoning set-out above, you have the right to request a review of our decision. The time lines in which this right is available are set out in section 20(5)(a) and (b) FOISA. In broad terms the right to seek a review must be exercised within 40 working days of receiving this response.

Any request for review should be put in writing or some other permanent form e.g. an e-mail and should be sent to the University of St Andrews, through the contact details provided below.

A request for a Review should:

- a) state your name and address;
- b) describe the nature of your original request; and
- c) explain the reasons why you are dissatisfied with our response.

Freedom of Information / Environmental Information

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If you remain dissatisfied with how your request for information has been dealt with following Review, you also have the right to apply to the SIC for a decision. In the event of an appeal to the SIC, the Commissioner will generally only be able to investigate the matters raised in the request for review.

Details on how to make an appeal online to the SIC can be found on their website:  
<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

Alternatively, you can contact the SIC by post, telephone or email at:

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

Telephone: 01334 464610  
E-mail: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)  
Website: [www.itspublicknowledge.info](http://www.itspublicknowledge.info)

This concludes the University's response.

Yours sincerely,

**JUNE WEIR**  
Information Assurance and Governance

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