

Louis Seaman  
request-105xxxxxxxxxxxxx@xxxxxxxxxxxxxxxxx.xxx

13 March 2012

Our Ref: FOI 2012/45 – F0196970

Dear Mr Seaman,

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

Thank you for your email which was received by the University on 14 February 2012 timed 13:58 hours, requesting the following information:

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**“1. Could you please send me copies of all email correspondence relating to the Student Lifecycle Project or MyCampus sent or received by the Principal during January 2012? Please include all attachments.**

**2. Could you please send me copies of all email correspondence relating to the Student Lifecycle Project or MyCampus sent or received by Frank Coton during January 2012? Please include all attachments.**

**3. Could you please send me copies of all email correspondence relating to the Student Lifecycle Project or MyCampus sent or received by David Newall during January 2012? Please include all attachments.”**

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**University's Response**

**1. Could you please send me copies of all email correspondence relating to the Student Lifecycle Project or MyCampus sent or received by the Principal during January 2012? Please include all attachments.**

Please see Appendix 1 attached.

**2. Could you please send me copies of all email correspondence relating to the Student Lifecycle Project or MyCampus sent or received by Frank Coton during January 2012? Please include all attachments.**

In accordance with section 9 of the Freedom of Information (Scotland) Act 2002, and in order to proceed with your recent request for information, the University of Glasgow hereby issues a notice in writing requesting a fee of £11.32.

**DATA PROTECTION AND FREEDOM OF INFORMATION OFFICE**

Main Building, University of Glasgow, Glasgow G12 8QQ

Data Protection: Telephone: 0141-330-3111 E-Mail: ~~xxx~~

Freedom of Information: Telephone: 0141-330-2523 E-Mail: [foi@gla.ac.uk](mailto:foi@gla.ac.uk)

The University of Glasgow, charity number SC004401

The issue of this Fees Notice will 'stop the clock' for the response to this information request until payment is received. This fee must be paid within three months of receipt of this notice – if the University does not receive payment within three months, your request will be treated as withdrawn. On receipt of the payment, the University of Glasgow will respond to your information request within the statutory timescale. No information will be provided until the Fee has been paid.

The fee requested has been calculated in accordance with the published Fee Regulations that accompany the Freedom of Information (Scotland) Act 2002. The Fee Regulations state that:

- The first £100 of costs will be waived
- Projected costs include the cost of staff time involved in locating, retrieving and providing the information; however the cost of staff time must not exceed £15 per hour per member of staff. Where staff costs are lower than £15 per hour, they must be charged at cost.
- For projected costs that exceed £100, the University may charge 10%, unless the costs reach the £600 prescribed cost limit.
- The University does not have to fulfil any request that will exceed £600 in costs.

### Projected costs

The estimated costs likely to be incurred in answering your information request are as follows:

Item	Details	Cost (£)
Staff costs (£15 per hour)	14.21 hours collating & redacting emails	£213.15
Total Projected Costs		£213.15
Minus initial £100 costs		- £100.00
		£113.15
Chargeable amount	10% of costs	£11.32

### Method of Payment

Please send a cheque made payable to the *University of Glasgow* to the Freedom of Information Office at the above address.

**3. Could you please send me copies of all email correspondence relating to the Student Lifecycle Project or MyCampus sent or received by David Newall during January 2012? Please include all attachments.”**

Please see Appendices 2 – 18 attached.

The University of Glasgow has redacted some information which it considers would be likely to prejudice substantially the commercial interests of both the University and third party suppliers

involved with MyCampus as laid out in Section 33 (1)(b) Commercial interests and the economy.

Notwithstanding the result of the “harm test”, section 33(1)(b) of FOISA does 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 Office of the Scottish Information Commissioner (OSIC), in its 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 individual interest. The public interest in the disclosure of the information 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. The disclosure of the requested information would be likely to be detrimental to the public interest by inhibiting organisations from entering into relationships and working with the University. This potential to fail to achieve best value would substantially prejudice the commercial interests of the University of Glasgow.

In addition, the University must also consider the commercial interests of other person/s. This person/s operates in a very competitive environment and any release of information concerning its relationship with the University at this time would be likely to lead to their competitors gaining an advantage. This would in turn be likely to adversely affect the commercial position of the organisation, causing real and significant substantial prejudice to their commercial interests. This would also thus potentially jeopardise the ability of the University of Glasgow to achieve best value.

The University therefore concludes that the “public interest test”, as required when applying section 33 of the FOISA, is met as the disclosure of the information requested would prejudice substantially the negotiating position of the University in respect to the tendering process. The public interest in withholding the information is greater than the public interest in its release.

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.uk](mailto:xxx@xxx.xx.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](http://www.itspublicknowledge.info)  
E-mail: [enquiries@itspublicknowledge.info](mailto: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