

Our ref: RQST4237385/AMOD/SH  
Your ref:

Date: 3 May 2013

By email: [request-147914-a52d7646@whatdotheyknow.com](mailto:request-147914-a52d7646@whatdotheyknow.com)

Dear Mr Hughes

**REQUEST FOR REVIEW UNDER THE ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004 ("The EIRs")**

I refer to your email dated 6 March 2013 which I am treating as a formal request for review of Glasgow City Council's ("the Council's") response dated 1 March 2013 to your initial request for information dated 30 January 2013 as clarified by your email of 31 January 2013.

You have requested a review on the basis that you are dissatisfied with the Council's response.

**YOUR REQUEST**

Your clarified request for information was as follows:

*"Thank you for your reply. Allow me to be a little more specific.*

*As for the issue with the gas supply: the school was receiving additional gas inspections from qualified gas engineers supplied by Amey due to concerns about gas leaks and the janitors were issued with hand-held monitors to scan the school for gas prior to staff and pupils entering the building each morning following a very serious incident which caused the school to remain closed for the day.*

*Let us deal with Amey first:*

*Can you confirm that St. Margaret Mary's Secondary School, Glasgow was closed for a day due to a very serious and dangerous gas leak discovered prior to the school opening that morning?*

*Can you confirm that Network Gas sent two engineers to assist Amey staff in rectifying the problem and to ensure the integrity of the gas system and the safety of the building?*

*Can you confirm that Strathclyde Fire Service attended the incident?*

*Can you confirm that a meeting took place in the school later that same day involving the senior staff of the school, senior staff of Amey and senior council officials to discuss this problem?*

*Can you confirm that the school, since opening in 2002, had a history of gas leaks?*

*Can you confirm that the janitors in the school were supplied with hand-held gas detectors to monitor gas levels throughout the school?*

*Can you confirm that a suspicion that the gas leaks, following various investigative measures, were believed to be deliberate and the work of an individual employee at the school?*

*Can you confirm that a hidden camera was placed in a Home Economics classroom early in 2006 as a means to catch the suspected culprit?*

*Can you confirm that Ronnie O'Connor, then Director of Education, and the Regional Director of Amey agreed with a concerned Amey employee that a hidden camera should be used to prevent a potential tragedy happening?*

*Can you confirm that the camera was supplied, fitted and then removed by Scotshield, the company responsible for the CCTV coverage in Glasgow Schools?*

*Can you confirm that the Scotshield engineer who put the camera in place was NOT the individual at the time reported to have been "suspended" in the Glasgow press?*

*Can you confirm the the Scotshield engineer was not suspended because he was instructed by his own employers to install the camera, following a request to do so by Amey?*

*I shall be making enquiries of Community Police officers at Aikenhead Road Police Station to confirm dates of certain events and shall return to the issue of widespread drug use in the school unless, of course, you feel the information requested is now sufficient to be dealt with as a FOI Request."*

## **THE DECISION**

A decision letter was sent to you on 28 February 2013 from Maureen McKenna, Executive Director of Education providing you with some of the information that you requested. You were also advised that some of the information that you requested was not held by the Council, and other information may have been held by the Council at one stage but was no longer held.

## **THE REVIEW**

You requested a review as you were dissatisfied that you were not provided with some of the information you requested on the basis that it was not held by the Council.

## **THE REVIEW DECISION**

You were informed by letter on 5 April 2013 that, upon review, I have decided that the information you have sought would be better dealt with under the Environmental Information (Scotland) Regulations 2004 ("the EIRs"). You were further informed that the Council had extended the initial 20 day timescale for compliance by a further 20 days as permitted by Regulation 7 of the EIRs as the volume of the information that you had requested made it impracticable for the Council to comply with the earlier period or to make a decision to refuse to do so.

"Environmental Information" is defined in Regulation 2(1) of the EIRs and includes measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements of the environment (such as air and atmosphere, water, soil, land, landscape) and factors of the environment (such as substances, energy noise, radiation or waste, (including radio active waste, emissions, discharges and other releases into the environment). The emission of gas has an effect on elements and factors of the environment.

I have now reviewed Ms McKenna's decision as outlined above and can confirm that I partly uphold her decision.

Following investigations I have established that the Education Department within the Council only have limited information on the incident which you have requested information on, as it is normal practice within Glasgow City Council to destroy correspondence files three years after the date of opening. In addition, there have been staff changes in the Education Department and the key personnel involved in the incident no longer work in the Department.

St Margaret Mary's Secondary School no longer has any written records of this incident. There have been changes in the Senior Management team at the school since the date of the incident that you refer to, including two new head teachers. Each head teacher will have tidied out the files either before they left or as they arrived, therefore, it is likely that information relating to this incident will have been destroyed during these transition periods.

However, following review of the Council's archives I am able to provide you with some additional information that you were not previously provided with. I can confirm that a smell of gas was detected at St Margaret Mary's Secondary School on two incidents during 2005 and one incident during 2006. There are no records of gas leaks at the school, as tests by Amey, Transco Gas and Glasgow City Council's Health and Safety and Building Services Team found no evidence of any gas leaks. A Health and Safety Incident Report Form may have been completed at the time of the incidents, however, if such a form was to exist there would no longer be a record of it as it the Council's policy to keep such forms on site for a three year period from the date of the incident.

I can also confirm that the smell of gas in St Margaret Mary's School on the 12 January 2006 led to pupils being sent home. A meeting was held at the school on this same date and was attended by representatives of 3ED, Amey, Glasgow City Council's Health and Safety Team and the School Management Team. I am unable to confirm the seniority of the representatives that attended this meeting from 3ED, Amey or Glasgow City Council's Health and Safety Team as the Council does not hold this information on record.

I am also able to provide you with some additional information as part of the Council's duty to provide advice and assistance.

I can confirm that a hidden camera was placed in a Home Economics classroom early in 2006. The placing of the hidden camera was reported in the press reports in The Sun on 11 February 2006, The Herald on 10 February 2006 and The Times on 11 February 2006. I have not attached these reports as they are otherwise reasonably available to you.

I can also confirm that the positioning of this hidden camera was not authorised by Glasgow City Council.

## **RIGHT OF APPEAL**

I hope that you are satisfied with this response. However, if you are not you have a right to make an application within 6 months of receipt of this letter for a decision by the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS.

Yours sincerely



**ANNEMARIE O'DONNELL**  
**EXECUTIVE DIRECTOR – CORPORATE SERVICES**