

Dear Sirs,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an INTERNAL REVIEW of College Scotland's handling of the Freedom of Information request 'Consultancy Use by Colleges Scotland.

You have said College's Scotland is entitled to apply section 38(1)(b) of FOISA (personal information exemption), which is an absolute exemption, and have redacted personal information. I do not require personal information of consultants, and any consultant will be registered as a company and not an individual, as such any entity that has entered into a consultancy agreement and therefore has negotiated a financial benefit to provide a Service to College's Scotland a publicly financed organisation has a legal duty in upholding standards of transparent and accountable integrity.

Additionally, I am challenging the information withheld under Section 33(1)(b) has been withheld as you have stated it is commercially sensitive information.

This response is not acceptable as College's Scotland is financed by 'Public Money' from the 'Public Purse' and as such the public interest test outweighs any Colleges Scotland Commercially Sensitive information.

The reason you are legally obliged to disclose this information is because it is public money and this is of interest to the general public who pay tax and who have the right to see how tax payers' money is being spent in public sector and to which companies/consultants/supply chain and for which purpose.

I would cite The Information Commissioner Office's Statement regarding the Freedom of information act:

"You must also make your staff, contractors, customers or others you have contact with aware of how the Act may affect them. You should make it clear that you cannot guarantee complete confidentiality of information and that as a public body you must consider for release any information you hold if it is requested."

Therefore, Colleges Scotland are required to disclose full and accurate consultancy use and that applying an exemption stating non-disclosure due to commercial interests is not consistent with the further educational establishments that you represent, of which several individual Colleges in Scotland have disclosed information regards consultancy use in the public domain and also only very recently.

Please refer me to any specific legislation that allows Colleges Scotland the ability for non-disclosure of requested information over any College it represents that is legally obliged to disclose such information if it does actually exist.

Please be under no illusion, I am more than happy to escalate this issue to The Scottish Information Commissioners Office should you not provide an adequate and accurate disclosure of the information requested.

Please see below detail of the original request

Please do not hesitate to contact me should you require any further information.

Yours Faithfully

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Dear Ms. Struthers

Under the terms of the Freedom of Information (Scotland) Act 2002, I am writing to formally request the following information.

Please provide details of all 'consultants' used by the College's Scotland since 1st October 2012 until present date.

Please include:

1. Name of consultant or consultancy
2. The remit/purpose
3. Date appointed including length of contract if appropriate
4. Total cost per consultation
5. Copies of Invoices
6. Source of funding: Whether Cost covered by College's Scotland finances or funding provided by a specific body or fund.

To clarify, I am seeking details on any and all consultancy payments made by College's Scotland to any consultants from 1st October 2012 until present date, this is to include any and all consultants of any kind be they self-employed individuals, consultant companies or any consultant services that were employed for the College through another firm or employed directly by the College.

Please provide details in a format suitable to yourselves.

You should indicate if the consultant was employed directly or indirectly by the College's Scotland and all figures must be VAT inclusive.

Should you require further clarification of the information I require please do not hesitate to contact me. If any of this information is already in the public domain, please can you direct me to it, with page references and URLs if necessary?

I understand that you are required to respond to my request within the 20 working days after you receive this letter.

I would be grateful if you could confirm in writing that you have received this request.

I look forward to hearing from you

Yours Sincerely