



Scottish Information
Commissioner
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Decision Notice 249/2025

Residential property on campus – failure to respond

Authority: University of Stirling

Case Ref: 202501713

Summary

The Applicant asked the Authority for information about the amount paid monthly/annually by its Principal and Vice-Chancellor towards the use of residential property on campus and whether the property was made available for other Authority staff or visitors. This decision finds that the Authority failed to respond to Applicant's requirement for review within the timescale allowed by the Freedom of Information (Scotland) Act 2002 (FOISA).

Background

1. The Applicant made an information request to the Authority on 4 February 2025.
2. The Authority responded to the information request on 5 March 2025.
3. On 11 March 2025, the Applicant wrote to the Authority requiring a review of its decision.
4. The Applicant did not receive a response to her requirement for review.
5. On 29 September 2025, the Applicant wrote to the Commissioner, stating that she was dissatisfied with the Authority's failure to respond and applying to the Commissioner for a decision in terms of section 47(1) of FOISA.
6. The Commissioner determined that the application complied with section 47(2) of FOISA and that he had the power to carry out an investigation.

Investigation

7. Section 49(3)(a) of FOISA requires the Commissioner to notify public authorities of an application and to give them an opportunity to comment. The Commissioner did this on 7 October 2025.
8. The Commissioner received submissions from the Authority on 8 October 2025. These submissions are considered below.
9. The Authority acknowledged that it had not responded to the requirement for review on time. It explained this was due to significant pressures on its resources and the availability of relevant specialist staff over the intervening period. The Authority acknowledged that this did not meet its usual standards of responding to requests on time and apologised for the delay in responding.
10. Section 21(1) of FOISA gives Scottish public authorities a maximum of 20 working days following the date of receipt of the requirement to comply with a requirement for review. This is subject to qualifications which are not relevant in this case.
11. It is a matter of fact that the Authority did not provide a response to the Applicant's requirement for review within 20 working days, so the Commissioner finds that it failed to comply with section 21(1) of FOISA.
12. The Authority responded to the Applicant's requirement for review on 8 October 2025, so the Commissioner does not require it to take any further action in relation to the Applicant's application.
13. The Commissioner notes that the Authority apologised to the Applicant for its failure to comply.

Decision

The Commissioner finds that the Authority failed to comply with Part 1 of the Freedom of Information (Scotland) Act 2002 (FOISA) in dealing with the information request made by the Applicant. In particular, the Authority failed to respond to the Applicant's requirement for review within the timescale laid down by section 21(1) of FOISA. Given that the Authority has now responded to the Applicant's requirement for review, he does not require the Authority to take any action in response to this failure.

Appeal

Should either the Applicant or the Authority wish to appeal against this decision, they have the right to appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of intimation of this decision.

Wendy Snedden
Freedom of Information Officer

9 October 2025