

Date 13/01/2026
Your Ref
Our Ref 10940R

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Dear

FREEDOM OF INFORMATION REVIEW - JOB EVALUATIONS

I write in response to your request for review of NHS Lothian's response to your Freedom of Information request about job evaluations. Having considered your request and our response of, 5 November 2025 I can respond as follows:

Original Request and Response:

Question:

- I have reviewed our correspondence and note that NHS Lothian FOI continues to state the following: "The training undertaken by School Nurses is a Post Graduate Diploma which contains Masters level modules but it is not a full Masters Degree. Based on the qualification and also the duties and responsibilities of the role, the Matching Panel awarded a level 6 KTE."

I interpret this to mean that "based on the qualification [of not having a full Masters Degree]", in part, the NHS Lothian Specialist School Nurse Job was awarded level 6 KTE and not level 7 KTE. If this was partially "based on the qualification", where in the national standards of Job Evaluation, the NHS Employers Job Evaluation, does it make mention of the requirement to have "a full Masters degree"? I want you to quote the rule that NHS Lothian is following in basing this decision, in part, on the qualification. NHS Lothian Specialist School Nurses are required to hold a Masters level qualification and the NHS Employers Job Evaluation Handbook clearly states that this should be evaluated at level 7 KTE.

If NHS Lothian states that a job is awarded a certain job evaluation level "based on the qualification" then it must be able to quote the job evaluation rule that mentions that qualification. Where in the Job Evaluation handbook, that NHS Lothian claims to follow, does it mention the requirement to have "a full Masters degree". Why does the FOI response mention "a full Masters Degree" when this is never mentioned in the Job Evaluation rules?

Answer:

This request appears to seek the same information as a number of previous FOI requests you have made. This is about information that was the basis for an interpretation of a Job Evaluation outcome, and you have asked the same or a very similar question on a number of occasions.

I understand from Human Resources colleagues that a response to your questions in this regard was provided to you by E Mailon 6th November. This is based on application of the following:

[NHS Scotland job evaluation policy](#)

This information is exempt under Section 25 of the Freedom of Information (Scotland) Act 2002

- Information otherwise accessible

(1) Information which the applicant can reasonably obtain other than by requesting it under section 1(1) is exempt information.

There is no further information available to disclose from a Freedom of Information perspective that has not previously been made available to you.

Review Request:

- I have asked on multiple occasions for NHS Lothian FOI office to tell me which National Job Evaluation Rule the Executive Director of Nursing is referring to when she states that "The training undertaken by School Nurses is a Post Graduate Diploma which contains Masters level modules but it is not a full Masters Degree. Based on the qualification and also the duties and responsibilities of the role, the Matching Panel awarded a level 6 KTE." (FOI Response #9093 attached).

Yet again, NHS Lothian refuses tell me the written Job Evaluation rule that states that the NHS Lothian Specialist School Nurse job should have a full Masters Degree to be an Agenda for Change Band 7, yet I and Nicola Lee, the Head of Job Evaluation and Equal Pay at NHS Employers, can both evidence "that a requirement for a masters level qualification would equate to level 7" (See the attached Job Evaluation KTE Escalator and Nicola Lee's email of 16/9/25 stating that we should be awarded a level 7 at KTE.)

The Executive Director of Nursing MacDonald's answer that NHS Lothian Specialist School Nurses are not awarded a KTE Level 7 because they lack a full Masters Degree, in part, is not truthful and honest as required by the Freedom of Information Act. The Executive Director of Nursing has not offered any evidence from the rulebook to prove her statement. It is therefore an untruthful FOI response and I would like it to be thoroughly investigated.

There is no example of a requirement for Masters level qualification being awarded a KTE Band 6 in the NHS Job Evaluation Handbook. However, the KTE Escalator clearly states that "(SCQF 9 or 10) or relevant experience, post reg/graduate diploma or equivalent experience and further post reg/ graduate study (at masters level or above), short courses and/or additional experience" should equate to KTE level 7 (see attached).

It is unacceptable that the Executive Director of Nursing makes an unevidenced and untrue statement in a Freedom of Information Response, and I again request written proof if she

thinks that a full Masters degree is required (or in any way relevant) to being awarded KTE Level 7, in the written rules of Job Evaluation that NHS Lothian claims to follow.

I am sorry that NHS Lothian Freedom of Information is struggling to understand my request and to give me a truthful answer. I suspect it is because there is no evidence for the response #10870 and #9093 statements that I refer to.

I remind you that public authorities must respond to FOI requests truthfully; and that authorities must provide accurate and complete information, subject only to valid exemptions; and that misleading, partial, or deliberately false responses could amount to a breach of FOIA obligations.

I believe that the responses in FOI #9093 and in #10870 are misleading, partial and, possibly, deliberately false.

Please fully investigate and contact me if you still don't understand the question.

Review Response:

I am advised by Human Resources that we have shared all that we can possibly share with you and have not withheld anything. The post is currently with the Job Evaluation Team and an outcome will be provided to you via them in due course.

If you are not satisfied with this response you still have the right to make a formal complaint to the Scottish Information Commissioner who you can contact at the address below or using the Scottish Information Commissioner's Office online appeals service at <https://www.foi.scot/appeal>. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

Scottish Information Commissioner
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St Andrews, Fife
KY16 9DS
Telephone: 01334 464610
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Yours sincerely

**Freedom of Information Reviewer/
NHS Lothian**
cc: Executive Nurse Director