

Date 18 September 2026
Your Ref
Our Ref 11861

Enquiries to Richard Mutch
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Dear

FREEDOM OF INFORMATION – MATCHED JOB REPORTS

I write in response to your request for information in relation to Matched Job Reports.

Question:

- I wish to request the following information under the Freedom of Information Act.
Please send me the current Agenda for Change Matched Job Reports and current Job Descriptions and AFC Bands for the following NHS Lothian jobs:

Nurse Director - Community Nursing
Deputy Director of People & Culture - Human Resources
Clinical Nurse Manager - Children's Services
HR Manager - Job Evaluation Lead - Human Resources

Answer:

I must advise that we consider this exempt under Section 14(1) – Vexatious, on the basis of:

- Section 14(1) (iv) - it has the effect of harassing the public authority (with employees being representatives of the public authority) given the evidence of your correspondence with postholders whose matched job reports have been released to date.
- Section 14(1) (v) - it would otherwise, in the opinion of a reasonable person, be considered manifestly unreasonable or disproportionate, because the issue that the matched job responses are being requested in relation to is connected to a personal employment matter which a significant amount of explanation has already been provided about.

It is also the case that NHS Lothian has a policy of not releasing the details of staff below a senior level, and two of these posts are not senior. Since we do not have the consent of the individual postholders to release this data from their records, the information is exempt under section 38(1)(b) of the Freedom of Information (Scotland) Act i.e. to provide it would breach the Data Protection Act (2018).

Whilst the other posts are senior, in our opinion Section 14(1) (v) again applies here because the reason for requesting appears to be dissatisfaction with an individual job evaluation

outcome. Other matched reports are not considered in that process, per the national Job Evaluation Policy for NHS Scotland.

I am sorry I cannot help further with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/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.

If you require a review of our decision to be carried out, please write to the FOI Reviewer at the email address at the head of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhslothian.scot/FOI/Pages/default.aspx>

Yours sincerely

ALISON MACDONALD
Executive Director, Nursing
Cc: Chief Executive