



University of East Anglia

Information Compliance (ITCS)

The Library
University of East Anglia
Norwich Research Park
Norwich NR4 7TJ
United Kingdom

Email: foi@uea.ac.uk
Tel: +44 (0) 1603 593 523
Fax: +44 (0) 1603 591 010
Web: <http://www.uea.ac.uk>



29 May 2018

Dear

Freedom of Information Act 2000 – Information request (ref: FOI_18-100)

We have now considered your request of 30 April 2018 for information relating to student misconduct at UEA within the last 3 years.

Our response is on pages 3-4 of this letter, together with a copy of your request.

On this occasion, it is not possible to provide all the requested information. The Act contains a number of exemptions that allow public authorities to withhold certain information from release. We have applied the following exemption to part of your request.

Exemption	Reason
s.40(2), Personal information	Disclosure of information would contravene one of the data protection principles

Exemption explanation

In line with s.40(2) of the Act we have removed certain personal data from our response to question 1 of your request; namely the narrative summary of the incidents leading to expulsions.

We believe that this information is sufficiently detailed, and the number of incidents sufficiently low in number, to allow identification of the individuals involved. Such information are 'personal data', as defined by section 1(1) of the Data Protection Act 1998 (DPA).

We believe that disclosure of the information relating to individuals would be against the first data protection principle under the DPA; namely that information must be fairly and lawfully processed, and that the processing also meets one of the conditions set out in Schedule 2 of that Act.

We have followed the Information Commissioner's guidance¹ in assessing whether it is fair to disclose this information under FOIA. This involves considering the nature of the information, the expectations of and potential harm from disclosure to the data

¹ <https://ico.org.uk/media/for-organisations/documents/1213/personal-information-section-40-and-regulation-13-foia-and-eir-guidance.pdf>

subjects, and how any legitimate public interest in this information is balanced against the rights and freedoms of the data subjects.

We note that none of the requested information is publicly available. The individuals concerned would not have had a reasonable expectation that this information would be made public at any time. We do not think there is a legitimate interest in disclosing this information to the public, particularly as release of some of the information could cause damage or distress to the individuals concerned. We have therefore concluded that disclosure of this information would not be fair.

The Information Commissioner's guidance (see footnote) notes that if a public authority has determined disclosure would not be fair then it must not release the information under FOIA. In such circumstances there is no need to consider the conditions in Schedule 2 or 3 of DPA. However we can confirm that we do not have consent of the data subjects for the release of this information, and do not consider disclosure of the data to be necessary under any of the other conditions of Schedule 2 or 3 of the DPA.

What we have done, however, is indicated the relevant regulation within the General Regulations for Students² that was breached and led to the expulsion of the student.

We hope this information will meet your requirements, however if you are not satisfied you have the right of appeal. If you wish to appeal, please set out in writing your reasons for appealing and send to the above address. You must appeal within 60 calendar days of the date of this letter. Any appeal received after that date will not be considered nor acknowledged. This policy has been reviewed and approved by the Information Commissioner's Office.

You also have a subsequent right of appeal to the Information Commissioner's Office. Further information is available on their website:

https://ico.org.uk/Global/contact_us, or by telephone on 0303 123 1113.

Please note that any material over which UEA has copyright is released on the understanding that you will comply with all relevant copyright rules regarding reproduction and/or transmission of the information provided.

Please quote our reference given at the head of this letter in all correspondence.

Yours sincerely

Dave Palmer
Information Policy and Compliance Manager
University of East Anglia

²<https://portal.uea.ac.uk/documents/6207125/7465906/Section+3+General+Regulations+for+Students.pdf>

Response to Freedom of Information Act 2000 request (FOI_18-100)

1. In the last three academic years (14/15) (15/16) (16/17) how many of your undergraduate students were expelled for unacceptable behaviour? Please provide a narrative summary of each incident of the behaviour that students were excluded for.

Our response is within the table below

Year	Number of expulsions	Narrative Summary
2014/15	0	[Information exempted pursuant to s.40(2), Freedom of Information Act]
2015/16	3	
2016/17	3	

The narrative summary of each expulsion is exempted from release for the reasons noted in the above letter.

However, we can state that of the 3 expulsions in 2015/16, 2 were for a breach of Regulation 18 (Plagiarism and/or Collusion) and one for a breach of Regulation 15 (Research Conduct). In 2016/17, 2 of the expulsions were for a breach of Regulation 10 (General Conduct) and 1 was for a breach of Regulation 18. All Regulations are from within the General Regulations for Students.

2. In the last three academic years how many undergraduate students were given formal written warnings for unacceptable behaviour? How many were for academic/exam misbehaviour (eg. Cheating, plagiarism) and how many were for other types of misdemeanours?

Our response is within the table below³:

Year	Academic misbehaviour	Non-academic misbehaviour
2014/15	2	95
2015/16	18	143
2016/17	21	128
Total	41	366

3. In the last year 2016/2017 how many incidents where students were given written warnings for unacceptable behaviour did the case involve the inappropriate use of social media? Please give a narrative summary of each such case.

There were no such incidents recorded in 2016/17.

4. In each of the last three financial years how many university staff have declared that they are involved in a sexual relationship with a student? Please provide the sex of the staff member and the sex of the student in each case.

³ Please note that we have interpreted 'formal written warning' in the context of non-academic misbehaviour to mean a warning issued by the University Disciplinary Officer.

Our response is within the table below:

Year	Number of staff	Staff gender	Student gender
2014/15	0	N/A	N/A
2015/16	1	Male	Female
2016/17	0	N/A	N/A