



University of East Anglia

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17 September 2018

Dear

Freedom of Information Act 2000 – Information request (ref: FOI_18-181)

We have now considered your request of 06 August 2018, as clarified on 10, 13 and 15 August for information relating to the appointment and termination of Joseph Mifsud as Chair of the London Academy of Diplomacy and as an honorary professor at UEA.

Our response is on pages 4-5 of this letter, together with a copy of your request, and within the attached documents:

- FOI-18-181 Appendix A
- FOI_18-181 Appendix B
- FOI_18-181 Appendix B attachments

Please accept our apologies for the delay in providing a response to your request.

To make our response more readable, 'Appendix B attachments' contains attachments to emails within 'Appendix B'. We have provided cross-references within each document. We are aware there is considerable repetition within 'Appendix B'; however this is intended to ensure we have included all email correspondence, including the previous messages in each thread.

On this occasion it is not possible to provide all the requested information. In line with your rights under section 1(1)(a) of the Act to be informed whether information is held, we confirm that the University does not hold information relevant to questions 1, 2 and 6 of your request. Further information is on page 3 of this letter.

Additionally, 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 be contrary to the requirements of the General Data Protection Regulation

Exemption explanation

When a request is made under FOIA for information that includes personal data we are required to consider whether disclosing those data would breach the data protection principles contained within Article 5(1) of the General Data Protection Regulation (GDPR).

In considering a disclosure under FOIA, the University must also take into account that any information released under the Act will be placed in the public domain, through our own disclosure log or by other means.

We believe that disclosure of some of the requested information would be contrary to the requirements of Article 5(1)(a) of the GDPR; namely that information must be processed lawfully, fairly and in a transparent manner in relation to the data subject.

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

There are two main categories of personal data that have been exempted from release; (1) personal data relating to staff members within UEA, and (2) personal data relating to Professor Mifsud himself.

In relation to the first category, we note that none of the information which we have exempted is generally publicly available. The data subjects would not have had a reasonable expectation that this information would be made public, either now or at the time the information was created. Additionally, we have not identified a lawful basis that would allow or require us to disclose this information. We have therefore concluded that disclosure of this information would be in contravention of the law.

In relation to the second category of personal data relating to Professor Mifsud, we have redacted personal data that we feel would not be fair to release currently. This is information that we believe is not in the public domain, and for which he would have little reasonable expectation of disclosure. In assessing the reasonable expectations of Professor Mifsud, we have considered his right and expectation of privacy, the degree to which it impacts his private or public life, and the consequences of its release upon Professor Mifsud.

We have also endeavoured to balance the rights of Professor Mifsud against the legitimate public interest in disclosure and our redactions and disclosures reflect that assessment of this balance.

We hope this response 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.

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

Yours sincerely

David Palmer
Information Compliance Manager
University of East Anglia

Response to Freedom of Information Act 2000 request (FOI_18-181)

I wish to obtain the following under the terms of the Freedom of Information Act:

- Correspondence between the University of East Anglia and Joseph Mifsud pertaining to his appointment as Chair of the London Academy of Diplomacy, an institution belonging to INTO-UEA.

[Information not held - s.1(1)(a), Freedom of Information Act]

UEA does not hold any such correspondence relating to his appointment as Chair of the London Academy of Diplomacy (LAD).

LAD was an academic department within the INTO UEA (London campus) LLP, a joint venture between UEA and INTO University Partnerships (IUP). This LLP, a completely separate legal entity to UEA, undertook the recruitment and subsequent employment of Professor Mifsud.

Correspondence between the University of East Anglia and Joseph Mifsud pertaining to the termination of his appointment as Chair of the London Academy of Diplomacy, an institution belonging to INTO-UEA.

[Information not held - s.1(1)(a), Freedom of Information Act]

Please note response to question 1 above.

Correspondence between the University of East Anglia and Joseph Mifsud pertaining to his appointment as an honorary professor with the University of East Anglia (or one of its associated entities).

Our response is within the attached document, FOI_18-181 Appendix A.

[Information exempted pursuant to s.40(2), Freedom of Information Act]

Some information has been exempted from release for the reasons noted in the above letter.

Documents arising from Dr Mifsud's appointment as an honorary professor with the University of East Anglia (or one of its associated entities). This should include all documentation mentioning Dr Mifsud's name submitted to - and generated by - the Governance Committee, the Honorary Degrees and Awards Committee and the Admissions, Recruitment and Marketing Executive.

[Clarified on 10, 13 & 15 August to restrict request to portions of documents that mention Professor Mifsud explicitly]

Our response is within the attached document FOI_18-181 Appendix A.

[Information exempted pursuant to s.40(2), Freedom of Information Act]

Some information has been exempted from release for the reasons noted in the above letter. Please note that we have only provided information directly related to the appointment of Professor Mifsud and redacted all other information as out of scope of the request. We have marked where we have done this.

All emails received and sent by members of the Governance Committee mentioning Dr Mifsud.

Our response is within the attached document, FOI_18-181 Appendix B.

[Information exempted pursuant to s.40(2), Freedom of Information Act]

Some information has been exempted from release for the reasons noted in the above letter. Please note that we have only provide information directly related to the appointment of Professor Mifsud and redacted all other information as out of scope of the request. We have marked where we have done this.

All emails received and sent by the Vice Chancellor, Professor Richardson, mentioning Dr Mifsud.

[Information not held - s.1(1)(a), Freedom of Information Act]

UEA does not hold any such emails.