



University of East Anglia

Information Compliance (ITCS)

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03 June 2019

Dear 

Freedom of Information Act 2000 – Information request (ref: FOI_19-132)

We have now considered your request of 03 May 2019 for the following information:

'For 2007-2018 the number of annual bullying complaints against staff, and the number of any resulting disciplinary actions and dismissals for:

- 1) all staff,*
- 2) all academic staff,*
- 3) all scientists (scientists defined as academic staff working in medicine and dentistry, subjects allied to medicine, biological sciences, agriculture and related subjects, physical science, mathematical science, computer science, engineering and technology – however please note that we do not need a break down by discipline).*

And the annual number of non-disclosure agreements issued by the institution in relation to bullying or allegations of bullying during this time period.

Please note we would like the numbers for each data point as a time series, so broken down by academic year and by the staff category (either all, academic or scientist) but NOT whether the NDA related to a complaint, disciplinary action or dismissal). If you are unable to break down the NDA numbers by staff type, we are happy to take the total number of NDAs per year.

Unfortunately, on this occasion it is not possible to provide any of the requested information. We have determined that the cost of finding and assembling some of the information will exceed the 'appropriate limit' as defined by section 12 of the Act and the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004/3244.

'The 'appropriate limit' of £450, which equates to 18 hours' work, can relate to one request in its entirety or a series of linked requests. If the University cannot locate, retrieve and extract some or all of the requested information within the 18 hours we are not obliged to provide any of the information.

Specifically, for the time frame requested, the University holds 107 settlement agreements, each of which may include non-disclosure clauses. The University does not hold a separate record of which of these agreements include a non-disclosure clause.

To provide a response to any part of your request would require locating each individual's file, a manual review of each settlement agreement to identify any non-disclosure clause, and to determine if the clause related to complaint of bullying.

We have conducted a test of the time required to review one file and estimate that it will take approximately 40 minutes per document to source the files and determine if the agreement pertained to bullying or harassment. This gives an approximate total of time over 70 hours to review all documents which is in excess of the limit.

Additionally, to determine the disciplinary action, if any, resulting from a complaint against staff would require in excess of the appropriate limit. Whilst we have the number of complaints relating to bullying, we do not have a link to identify which disciplinary action relates to any particular bullying complaint. Thus, in order to determine whether the disciplinary action related to bullying or allegations of bullying, we would have to manually review the 107 files note above.

If you wished to submit a revised request to the University, we would be in a position to provide the number of bullying complaints against staff for the time period.

We should note that information relating to disciplinary action is only held on active staff member files and for 6 years after the termination of employment. Therefore, we would not have any information relating to disciplinary action taken against staff who left employment in the years 2007-2013.

In relation to the annual number of non-disclosure agreements, we could provide information on the number of settlement agreements containing non-disclosure clauses for a shorter time. Given the number of agreements in each year we could provide, within the appropriate limit, combined data for 2018 and 2016, or for 2017 alone. The appropriate limit would restrict us to the review of up to a maximum of 27 cases in total.

We are sorry we cannot provide the data you requested, but trust this letter explains our position. If you are unhappy with our response, you have the right of appeal against this decision. If you wish to appeal, please set out in writing your reasons for appealing and send to the above address. You must appeal within 40 working days of the date of this letter. In line with section 5.3 of the UK Government's Freedom of Information Act Code of Practice, we are not obliged to accept internal reviews after this date.

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

Yours sincerely

Dave Palmer
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University of East Anglia