



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 593651
Web: <http://www.uea.ac.uk>



05 November 2019

Dear

Freedom of Information Act 2000 – Information request (ref: FOI_19-329)

We have now considered your request of 09 October 2019 for information relating to students using violence or displaying threatening behaviour against lecturers.

Our response is on page 2 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 some of the requested 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, specifically the type of behaviour displayed and the action taken against the student 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.

It is our contention that given the small number of incidents, release of this information in combination with the department within which the behaviour took place would allow identification of the student involved.

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.

We note that none of the requested information is 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 GDPR.

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 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 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 Compliance Manager
University of East Anglia

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

Response to Freedom of Information Act 2000 request (FOI_19--329)

'Please tell me for the last five academic years (2014-2015, 2015-2016, 2016-2017, 2017-18 and 2018-19) how many cases your university recorded of

a) Students using physical violence against lecturers

b) Students displaying threatening or intimidating behaviour against lecturers (to include stalking, verbal and written abuse, etc.)

a) The University has no recorded cases for the time period requested.

b) The University has five recorded cases for the time period requested.

For the five most recent cases, please provide me with the following details

1) The department in which the lecturer worked

2) The type of abuse or threatening behaviour displayed

3) What, if any, action was taken by the university against the student

E.g. A lecturer in the Business and Economics School was sent a death threat by email. The student responsible was expelled from their course with immediate effect and reported to the police.'

Our response is in the table below:

<i>Case</i>	<i>Department</i>	<i>Type of behaviour</i>	<i>Action taken against student</i>
1	School of Development Studies	<i>[Information exempted pursuant to s.40(2), Freedom of Information Act]</i>	
2	School of Development Studies		
3	School of History		
4	School of History		
5	School of History		