



University of East Anglia

Information Services Directorate

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██████████

30 September 2015

Dear ██████████

Freedom of Information Act 2000 – Information request (ref: FOI_15-166)

We have now considered your request of 02 September 2015 as clarified on 7, 16, 17 and 22 September for information regarding persons working for the University off the payroll, who have done so for more than three months, and are earning at least £100,000. Our response is provided on page 3 of this letter, together with a copy of your original request. We hope this response will meet your requirements.

It is, however, not possible to satisfy all elements of your request, and in accordance with section 17 of the Freedom of Information Act 2000 this letter acts as a partial Refusal Notice, and I am not obliged to supply all of the requested information. The exemptions are clearly indicated within the attached document and the reasons for exemption are as stated below:

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

Section 40(2) exemption explanation

In regards the application of section 40(2), we believe that there are data within the information requested that meet the definition of 'personal information' as defined by section 1(1) of the UK Data Protection Act 1998 (hereafter 'DPA'). Specifically, we believe that the name of the individuals, in combination with other information requested, is personal data as defined by the DPA.

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

We believe that public disclosure of the requested information would breach 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 a set of conditions specified in Schedule 2 of the Act.

We have followed the Information Commissioner's guidance¹ in assessing whether it is fair to disclose this information under FOIA, and have considered how any legitimate public interest in this information is balanced against the rights and freedoms of the individual(s) concerned.

We note the requested information is not publicly available. We do not have consent from the individuals concerned to the release of this information. Additionally, there was and is no expectation on the part of either individual that this information would be released. At all subsequent times both the individuals concerned and the University have treated this information as confidential in nature.

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.

You have the right of appeal against this response to your request for information. If you wish to appeal, please set out in writing your reasons for appealing and send to the above address.

You must appeal our response 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 whose [contact details](#)² can be found on their website.

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

Yours sincerely

David Palmer
Information Policy and 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>

² https://ico.org.uk/Global/contact_us

Response to Freedom of Information Act 2000 request (FOI_15-166)

Please tell me, for each person who is working for the University off the payroll, has done so for more than three months, and is earning at least £100,000:

(Clarified to mean £100,000 in annual salary on a pro-rated basis regardless of the amount of time actually worked or monies actually earned)

1. Their name
2. Their position
3. How much they are paid, broken down by:
 - A) Daily rate
 - B) Hourly rate
 - C) Annual full time equivalent salary
4. The number of days they work per week
5. When they began working for the university
6. If they are employed by the university through an agency, the name of that agency
7. If they are employed by the university through their personal service company, the name of that company
8. Whether they are taxed at source

We have two (2) individuals that fall within the scope of your request and the information you request is presented in the table below:

Question	Position A	Position B
1. Name	[Information exempted pursuant to s.40(2), FOIA]	
2. Position	Honorary Senior Lecturer	Honorary Senior Lecturer
3. Pay: Daily rate	£1,052.02	£570.04
Pay: Hourly rate	£140.27	£76.05
Pay: Annual rate ³	£252,385.00	£136,895.00
4. Days of work / week	One (1)	One (1)
5. Starting date	01 September 2012	19 January 2015
6. Name of agency, if employed via an agency	Not applicable	Not applicable
7. Name of personal service company if employed via such a company	Not applicable	Not applicable
8. Income taxed at source?	Yes	Yes

³ Please note that the 'Annual rate' represents the actual amount paid pro-rated over one (1) year and does not represent actual expenditure