



University of East Anglia

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27 October 2015

Dear [REDACTED]

Freedom of Information Act 2000 – Information Request (Our Ref: FOI_15-188)

We have now considered your request of 29 September 2015 as clarified on 20 and 26 October 2015 for information regarding the remuneration and expenses of the Vice-Chancellor and lay members of Council for this University. Our response can be found, together with your original request, on pages 4-6 of this letter and within the accompanying document entitled Appendix A_Question 9 response.pdf.

However, it is not possible to provide all the requested information. Pursuant to your rights under section 1(1)(a) of Freedom of Information Act 2000 to be informed whether information is held, this letter is to advise you that we do not hold some of the requested information. Further details are on page 5 of this letter.

In addition, some of the requested information is exempt from disclosure. Therefore, in accordance with section 17 of the Freedom of Information Act 2000 this letter acts as a partial Refusal Notice. The exemption is as stated below and we have indicated in the attached document where this exemption applies:

Exemption:	Reason:
s.22(1), Future publication	Some information is held with a view to publication in future
s.40(2), Personal information	Disclosure of information would contravene one of the data protection principles

Section 22(1) explanation

It has been a long-standing and consistent practice of the University to publish the salary and benefits of the Vice-Chancellor in the Annual Financial Statements. Salary band information is also published in the Accounts starting from £100,000.00 in bands of £10,000.00 which would provide the information requested at even a finer level of granularity than requested. The Financial Statements are audited up to 30 November each year and are subsequently published in December of that year.

We believe that to adhere to the accepted publication schedule is sensible, in line with accepted practices, and fair to all concerned. With this sort of information it is correct to manage the availability of the information by planning and controlling its publication, the timetable of publication requires internal consideration of the information prior to its

public release, and we feel that it is reasonable in all the circumstances to withhold the information at this time.

When considering the application of this exemption we are required to assess the public interest in withholding or disclosing the requested information. There is no doubt a public interest in knowing the salary and benefits afforded the Vice-Chancellor, and the number of individuals earning salaries in excess of £100,000.00.

However we would argue that this interest is more than satisfied by the publication of this information within the audited Annual Financial Statements of the University each December. Additionally, we do not believe that the public interest is served by releasing unverified and unaudited figures that could be in error and/or misleading when but a small delay will result in accurate figures being made available accompanied by any necessary contextual information.

Therefore, on this occasion, we consider the public interest in withholding the information requested in questions 1, 2 and 3, and the award to the Vice-Chancellor for 2015-16 within the Senior Officers Remuneration Committee (SORC) minutes provided in response to question 9 outweighs the public interest in providing the requested data at this time.

Section 40(2) explanation

In regards the application of section 40(2), we believe that there are data within the documents 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 exact salaries of senior staff and their personal submissions to the SORC qualify as personal data as defined by the DPA.

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 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 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 individuals concerned.

We believe that 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 the conditions set out in Schedule 2 of that Act.

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. 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 prejudice the interests of the individuals concerned. We have therefore concluded that disclosure of this information would not be fair.

We have contacted all the affected individuals and all have explicitly withheld their consent to the release of this information. Additionally, we do not believe that there are any Schedule 2 conditions present that would allow release in the face of an explicit withdrawal of consent based upon the prejudice to the individual data subjects' rights, freedoms and legitimate interests.

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

I would also add that any material released over which UEA has copyright is released subject to the understanding that you will comply with all relevant copyright rules regarding reproduction and/or transmission of the information released.

You have the right of appeal against this decision. If you wish to appeal, please set out in writing your grounds of appeal and send to me at the address noted above.

You must appeal our decision 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

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

Response to Freedom of Information request (FOI_15-188)

1. What were the emoluments of the vice-chancellor in the financial year that ended on 31 July 2015 broken down by:

- Salary
- Benefits in kind (including accommodation and health insurance)
- Employer's pension contribution

[Information exempted pursuant to s.22(1), Freedom of Information Act]

The requested information will be published in the audited Financial Statements of the University, available sometime within December 2015.

2. How many members of staff (excluding the vice-chancellor) at the HEI had total emoluments within the following remuneration bands in the financial year that ended on 31 July 2015:

- a. £100,000-£149,999
- b. £150,000-£199,999
- c. £200,000-£249,999
- d. £250,000-£299,999
- e. £300,000-£349,999
- f. £350,000-£399,999

[Information exempted pursuant to s.22(1), Freedom of Information Act]

The requested information will be published in the audited Financial Statements of the University, available sometime within December 2015.

3. How much (GBP) did the vice-chancellor receive (in addition to salary and pension costs) in personal expenses in the year that ended on 31 July 2015?

[Information exempted pursuant to s.22(1), Freedom of Information Act]

The requested information will be published in the audited Financial Statements of the University, available sometime within December 2015.

4. What was the total amount (GBP) spent on air fares for the vice-chancellor's travel in the financial year that ended on 31 July 2015?

A total of £9,043.74 was spent on air fares for the Vice-Chancellor

5. How many flights did the vice-chancellor take in the following travel classes:

- a. Economy
- b. Premium Economy
- c. Business
- d. First

The response to the above question is within the table below:

Class of flight	Number of flights
Economy	3
Premium Economy	0
Business	13
First	5

6. *What was the total spend (GBP) on hotel accommodation for the vice-chancellor in the financial year that ended on 31 July 2015 and how many nights in hotel accommodation did this pay for?*

The total spend on hotel accommodation for the Vice-Chancellor for the financial year ended 31 July 2015 is £3,291.63. This paid for 23 nights.

7. *During the financial year that ended on 31 July 2015, was the vice-chancellor given residency at a property owned by the HEI or rented by the HEI? If so, what was the estimated rental market value of that accommodation for that year, and the current market sale value (GBP)?*

Yes, during the financial year ended 31 July 2015, the Vice-Chancellor resided at a property owned by UEA, Wood Hall.

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

The University does not hold any estimated rental market value for Wood Hall nor does it hold a 'current' (2014/15) market value for the property. The terms of the covenant granting Wood Hall to UEA effectively removes the property from any actual sale market. However, the Wood Hall site, building and immediate environs had a notional market value of £1,400,000.00 at the time the last valuation was conducted in 2013.

8. *What was the total spend (GBP) by the HEI on management consultancy fees in the financial year that ended on 31 July 2015 and what percentage was that of the HEI's total spend?*

[Clarified on 26 October 2015 to accept 'not held' response]

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

The University does not organise its accounts in such a way to present 'management fees' as a separate category.

9. *We would like to request a copy of the most recently ratified minutes for the Remuneration Committee.*

A copy of the most recently ratified minutes of the Senior Officer Remuneration Committee is within the attached document, Appendix A_Question 9 response.pdf

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

Some of the information is exempted from release for the reasons noted in our letter above.

[Information exempted pursuant to s.22(1), Freedom of Information Act]

The recommended salary of the Vice-Chancellor for the period commencing 01 August 2015 will be duly published in the audited Financial Statements of the University, available December 2016.

10. *Please list all lay members of the HEI's governing body and the total expenses claimed by each individual member in the financial year that ended on 31 July 2015.*

Please note that the 'governing body' of UEA is Council so the response to this question is identical to that given below in response to question 11.

11. Please list all lay members of the HEI's Council (or main strategic decision-making body if it is referred to by a different title) and the expenses claimed by each individual member in the financial year that ended on 31 July 2015.

[Clarified on 20 October 2015 to accept anonymised expenses]

The lay members of Council are published within the [UEA Academic Calendar](#), available on our website.³

Expenses are presented within the below table:

Date	Member	Expense reason	Type	Amount
18.07.14	Member A	Travel to various UEA meetings	rail, taxi, parking	£321.21
07.07.15	Member A	Travel to/from Council meeting	Taxi	£6.00
16.10.14	Member B	Attending meeting at UEA	rail	£203.75
17.11.14	Member B	Attending meeting at UEA - car park ticket validation	parking	£5.00
18.11.14	Member B	Attending meeting at UEA - car park ticket validation	parking	£5.00
26.11.14	Member B	Attending meeting at UEA - car park ticket validation	parking	£5.00
8.12.14	Member B	Attending meeting at UEA - car park ticket validation	parking	£5.00
11.09.14	Member C	Leadership Foundation course for University Governors	rail	£81.15
16.07.14	Member D	Travel to/from Council meeting	Taxi	£15.00
24.07.14	Member D	Travel to/from Council meeting	Taxi	£25.00
22.09.14	Member D	Travel to/from Council meeting	Taxi	£17.00
22.09.14	Member E	Travel to/from Council meeting	Taxi	£12.00
22.09.14	Member F	Travel to/from Council meeting	Taxi	£12.00

³ <https://portal.uea.ac.uk/documents/6207125/7465902/Section+2+The+Council.pdf>