

From: Freedom of Information

Sent: 20 August 2020 15:37

To:

Subject: Freedom of Information Response (Our Ref: K/20/293)

Dear

Freedom of Information Response (Our Ref: K/20/293)

Thank you for your Freedom of Information (FOI) request dated 31 July 2020, reference K/20/293.

Your request read:

“I would like to ask that you respond to the following prompts, in relation to complaints of racism made by members of your university over the past five years.

The data requested is for the annual sum number of complaints of racism, for the years 2015, 2016, 2017, 2018 and 2019.

1. How many complaints of racism have been made against students of your university for each year?
2. How many complaints of racism have been made against staff of your university for each year?
3. How many of the racism complaints against both students and staff during each year were referred by the university to the police, and how many were referred to an independent review board such as the OIA?
4. How many students and staff of your university have had disciplinary action taken against them due to racist behaviour?”

The University of Leeds may hold some of information relevant to your request. However, we consider that to respond to your request as it is currently framed would exceed the cost limit as set out in Section 12(1) of the FOI Act. Section 12(1) states that a public authority can refuse a request if complying with it would exceed the appropriate limit of £450. For the purposes of FOI, time spent on the permitted activities is calculated at the flat rate of £25 per person, per hour. The appropriate limit therefore represents the estimated cost of one person spending 18 hours to determine whether the information is held, and to locate, retrieve and extract the information.

We have outlined the reasons for invoking Section 12(1) below.

In the first instance, there is some difficulty associated with your request because you have asked for information by calendar year, whereas our information is held by academic year (August – July). While it is possible for us to provide information by calendar year, doing so requires additional time and resource.

We do not yet hold information in relation to complaints made by students in the 2019/20 academic year. Complaints made by students are categorised by subject. Complaints of racism or racial harassment would fall under the category of

“Discrimination, harassment, bullying and victimisation”. This categorisation occurs as part of our work to produce Student Cases Team annual reports. As such, complaints are not so categorised until such time as the relevant report is produced. We have not yet produced a report for the 2019/20 academic year, which has only just finished. As such extensive manual effort would be required in order to identify the complaints relevant to your request for this most recent year. We have received approximately 200 complaints during 2019/20. Even if we use a conservative estimate of ten minutes to review and categorise each complaint (taking into account that some cases will be straightforward and thus easily categorised, while others will be very complex with high volumes of associated material), this would take over 2000 minutes or 33 hours to complete.

It is therefore clear that to respond to your request in its current format would take in excess of the 18-hour appropriate limit set out at section 12(1) of the FOI Act.

In the hope that it is helpful, we can offer the following advice which may assist should you wish to resubmit your request in order to reduce the total amount of time required.

- As we have far fewer members of staff than we do students, there are fewer staff-related complaints. This means less time would be required to interrogate the information. A request which is limited to staff only is therefore much more likely to fall within the appropriate limit.
- We already hold collated information regarding students for the academic years 2017/18; 2016/17 and 2015/16. As such, a request limited to these years is likely to take less time to pull together.

We hope this information is helpful. If you have any questions about this email, however, please do not hesitate to contact us on foi@leeds.ac.uk

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you can request an Internal Review. Requests for Internal Review should be made in writing using the following contact information:

Post: Mr D Wardle
Deputy Secretary
The University of Leeds
Leeds
LS2 9JT

Email: foi@leeds.ac.uk

Requests for Internal Review should be submitted within 40 working days of receiving the University's response to your request. Further information about how the University manages Freedom of Information requests and about our complaints procedure is also available on our website (www.leeds.ac.uk).

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Generally, the ICO

cannot make a decision unless you have exhausted the review/complaints procedure provided by the University. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Kind regards

Chloe Wilkins

Freedom of Information Officer

Secretariat

University of Leeds