

From: Freedom of Information

Sent: 24 November 2020 13:55

To:

Subject: Freedom of Information Response (Our Ref: K/20/448)

Dear

Freedom of Information Response (Our Ref: K/20/448)

Thank you for your Freedom of Information (FOI) request dated 2 November 2020, reference K/20/448.

Your request read:

- “How many sexual assaults were reported to the university by undergraduate students each academic year between (and inclusive of) the academic years 2009/2010 and 2019/2020.
- What, if any, action the university took in each case of sexual assault reported by an undergraduate student each academic year between (and inclusive of) the academic years 2009/2010 and 2019/2020?
 - i.e. further investigation, disciplinary action towards perpetrator and support for the victim.
- The time scales of the action taken by the university after each case of sexual assault reported by an undergraduate student each academic year between (and inclusive of) the academic years 2009/2010 and 2019/2020.”

The University of Leeds holds some 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.

Your request covers a period of 11 academic years. Our reporting methods and organisational structures have evolved over this timeframe, and some information is likely to have been securely destroyed in line with record retention schedules. This makes it more difficult to establish what information is or is not held. The Student Cases Team, which is part of the Secretariat, processes student complaints made at the University level (that is to say, cases which are not suitable for local or informal resolution). However, the team has only existed since April 2013. Before April 2013, University level student complaints were handled by the University Complaints Officer, with support provided by the Secretariat department as necessary. Formal complaints made by students about members of staff are processed by the HR

department. Recorded information about complaints of sexual assault may therefore be held across a range of physical and electronic locations throughout the University.

We also note that your request is not specific to complaints. Some students may choose to [anonymously report an incident](#) – these incidents cannot be recorded as a complaint because no formal investigation is possible. Students may also choose to make a report but decide against pursuing the matter. Reports made using our online reporting tool are stored securely by the University Student Cases Team but, as they are anonymous, we cannot isolate those which were made by students. Reports which are not pursued may be held by individual schools, by administrative support teams or by the offices of senior members of staff, depending on how the student chose to make their report.

Due to these difficulties, it is not possible for us to provide an estimate of how long it would take to locate all information we hold which is relevant to your request. However, simply given the number of departments and teams which would need to be involved in the search, and the timeframe of your request, we are confident that this stage alone would take days, rather than hours. Further time would then need to be spent:

- Isolating cases which relate to undergraduate students
 - Unless the level of study (i.e. undergraduate or postgraduate) is specifically relevant to the incident, it is unlikely that this information would be separately recorded. However, it is possible that the information is contained somewhere within the complaint file, recorded in an incidental fashion. Extensive manual effort would therefore be required to review the records held, with no guarantee that the information would be located.
- Establishing what action was taken
 - Aside from cases where the student has made their report anonymously, or where they have specifically requested that the matter is not perused, some action will have been taken in all cases. As such, all reported cases would need to be reviewed in order to establish what that action was
- Establishing the length of time which elapsed between the report and the action taken.
 - Aside from in cases where there has been a significant or inappropriate delay, it is unlikely that this information will be recorded in a readily accessible way. It is more likely that correspondence associated with each report would need to be reviewed in order to establish the relevant dates.

We are therefore satisfied that section 12(1) applies in this case. You may therefore wish to submit a refined request. If you would like to resubmit your request, we would suggest that you significantly reduce the timeframe relevant to your request, and target your enquiry to one specific type of report (e.g. only anonymous reports, or only formal complaints made to HR, or only formal complaints made to the Student Cases Team).

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