

From: Freedom of Information

Sent: 22 June 2021 15:50

To:

Subject: Freedom of Information Response (Our Ref: K/20/154)

Dear

Freedom of Information Response (Our Ref: K/20/154)

We write in relation to your Freedom of Information (FOI) request dated 2 April 2020, reference K/20/154.

Your request read:

“I would like to request the total number of complaints received by the University about sexual misconduct, including sexual harassment, for each year from 2017 to the present day.

Please would you break the figures down by complaints where the respondent is a student. And complaints where the respondent is a staff member.

Secondly, how many of these complaints proceeded to an internal hearing by the university?

I would like to request the dates of internal hearings from 2017 to present day.

I would like to know the outcome of each hearing,

- Was the complaint dismissed with no further action and for what reason
- Was the respondent found in breach of University policy
- If so, what was their sanction e.g.
 - o Restriction of movement on campus
 - o Suspension
 - o Expulsion (or sacking in the case of a staff member)

For the third part of the request, if there are any minutes taken from these hearings, I would like to be sent the minutes with all sensitive information redacted.”

The University of Leeds provided a partial response to your request on 4 May 2020. In our response, we provided information in relation to all questions aside from those regarding internal hearings. Information regarding hearings was, at that time, inaccessible due to coronavirus restrictions. We are now in a position to respond to these outstanding elements of your request.

I would like to request the dates of internal hearings from 2017 to present day.

The University of Leeds holds some of this information. The information we hold is limited to the year 2018 onwards. The method of recording information changed in 2018 and as such we are not able to isolate information for hearings which relate to sexual misconduct from before this date. Since 2018, relevant hearings have taken

place on the following dates (including dates which occurred since your original request):

- 12 December 2018
- 4 March 2019
- 20 May 2019
- 4 November 2020

If there are any minutes taken from these hearings, I would like to be sent the minutes with all sensitive information redacted

As outlined above, the information we hold is limited to hearings which occurred during or after 2018. We have reviewed the information we hold and consider that to release this information would infringe upon the data rights of the individuals associated with the case in question. We are therefore withholding the minutes we do hold under section 40(2) of the FOI Act. Section 40(2) sets out that information is exempt from disclosure if it is the personal data of someone other than the person making the request, and disclosure would; contravene the data protection principles; contravene an objection to processing; or if the data is exempt from the right of subject access. The minutes of hearings include information such as names, job titles, witness names and medical information, to release this information would be very likely to result in the identification of individuals, and in turn information about their disciplinary record. This would be contrary to expectations and would therefore be very unfair.

We have also considered whether it would be possible to release redacted or summary versions of the minutes. However, this would not result in any new or meaningful information being released to you. The only information this would reveal is that which has already been disclosed to you, either in this update or in our original response (e.g. the date of the hearing, the outcome of the case, whether the respondent was a member of staff or a student). As such, we do not consider there to be any benefit in releasing redacted versions or summaries of the meeting minutes.

This concludes your FOI response. 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.

Yours sincerely

Chloe Wilkins
Freedom of Information Officer

Secretariat
University of Leeds