From: Freedom of Information
Sent: 10 August 2021 16:01
To: 
Subject: Freedom of Information Response (Our Ref: K/21/351)

Dear

Freedom of Information Response (Our Ref: K/21/351)

Thank you for your Freedom of Information (FOI) request dated 14 July 2021, reference K/21/351.

Your request read:

“Years requested for data reporting: 2015-2021. Please include partial year data if full year’s data is not available.

I would like to request the following information:

1. How many disciplinary cases have been brought against staff members in your university each year 2015-2021?
2. How many cases alleging gross misconduct have been brought against staff members in your university each year 2015-2021? [Where more than one allegation has been brought against the same individual, please count these as separate cases.]
3. How many allegations of gross misconduct have been upheld in your university each year 2015-2021? [Where more than one allegation has been brought, please count these as separate cases.]
4. Where cases of gross misconduct were upheld, what sanctions were applied in each case?
5. In cases where the employee was not dismissed, what is the duration of the sanction, or the length that the written warning will remain ‘live’ on the employee’s record?
6. How many employees who are under sanction for gross misconduct are currently employed at your university?”

The University of Leeds holds this information. However, we consider that to respond to your request 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.

Until 2018, the University of Leeds did not have a centralised disciplinary reporting system. Disciplinary cases were managed by the relevant HR hub (e.g. disciplinary cases brought against Professional Services staff were managed by the Professional Services HR hub), with records kept in hard copy on campus. As such, the only means of establishing the answers to your questions for disciplinary cases dated
between 2015 and 2018 would be for each of the nine individual HR hub managers to review the physical records kept from that time. We estimate that it would take each hub a minimum of 2 hours and 15 minutes to locate the files, isolate those which are relevant to your request and extract the information you are seeking. It would therefore take a minimum of 20 hours and 15 minutes to answer your questions in relation to cases dated between 2015 and 2018 only. Additional time would then be required to collate information for cases from 2018 onwards. We are also conscious that there is no guarantee that these searches would locate any relevant information.

If you would like to refine your request, we suggest limiting it to those cases which are logged within our central reporting system, which has been in place since 2018. This information is readily accessible and as such can be located and collated in a much shorter amount of time.

You can send your refined request to foi@leeds.ac.uk.

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