

Mr Bruce Beckles

by email

Reference: FOI-2009-148

13 January 2010

Dear Mr Beckles,

Your request was received on 13 December 2009 and I am dealing with it under the terms of the Freedom of Information Act 2000 (FOIA).

You asked:

"For all categories of staff (unestablished, assistant, academic-related, academic, etc), and since 1 January 2004, please supply the answers to the following questions:

- 1. How many appeals against dismissal have been heard by the University (or by some body on behalf of the University)?*
- 2. How many of these appeals have succeeded?*
- 3. How many post-dismissal compensation settlements have been reached?*
- 4. How many of these settlements were subject to confidentiality agreements?"*

Data relating to the dismissal of staff have conventionally been held by the University in an unsystematic way within manual paper-based records across a number of physical locations. Relevant records have been held separately by the responsible Personnel Consultant (now HR Business Manager) and, until recently, the relevant records were not collated centrally in any form. This practice was intended to help maintain the confidentiality of those involved. The location, retrieval and extraction of the requested information would accordingly require a manual search of each and every personnel file held by individual Consultants. It is estimated that the time needed to perform this exercise would exceed the appropriate limit. The appropriate limit has been specified in



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Secretariat

regulations¹ and is £450 in the case of the University. This represents the cost of one person spending 18 hours locating and retrieving the information in question. By reason of section 12 of the FOIA, the University is not obliged to comply with a request for information if it estimates that the cost of compliance would exceed the appropriate limit.

However, since 1 August 2009, a central database has been established to maintain an overview of cases, and, in addition, an analysis has been assembled of 'dispute cases' as at December 2008. From these records, it is possible to inform you that, between December 2008 and the date of your request:

1. Four appeals by staff against dismissal were heard by the University.
2. None of these appeals succeeded.
3. Four post-dismissal compensation settlements have been reached.
4. All these settlements included confidentiality clauses, in accordance with standard practice.

I have considered whether your request might be refined or limited in relation to information pre-dating December 2008 in order to come within the cost limit, but I regret that I have concluded that this is not possible. Even if your request were to be refined by reference to a shorter timescale or more specific classes of staff, it would still necessitate a manual search equivalent in scope to that required to respond to your original request, and accordingly it is estimated that the cost of compliance would continue to exceed the appropriate limit.

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 this decision, you should write to the Administrative Secretary, quoting the reference above, at the Secretariat, The Old Schools, Cambridge, CB2 1TN. If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by the University. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely,

Kirsty Allen

¹ The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.