

Our Reference: FOI.2017.9.345

**UNIVERSITY OF
BIRMINGHAM**

Legal Services

**Director
Mrs C M E Pike LLB
Solicitor**

M. Spaven
What do they know

(By Email)

26 October 2017

Dear M. Spaven

Re: request for information under The Freedom of Information Act.

Further to your request for information dated 27 September 2017, please find attached the University of Birmingham's response. If you have any queries with regard to this letter, please do not hesitate to contact us.

Please note our statement in respect of Copyright, which is also attached.

If you are dissatisfied with the manner in which your request has been dealt with, you may ask for an internal review. The University's Complaints and Appeals procedure is available at
<http://www.birmingham.ac.uk/university/governance/policies-regs/information/index.aspx>

Yours sincerely

Freedom of Information Team
University of Birmingham

Encs

Your request for information reads:

"Please can you tell me the salaries and benefits packages received by the current chancellor and vice-chancellor of the university"

The University of Birmingham responds:

The University of Birmingham is required to respond to a request made under the Freedom of Information Act 2000 ("the Act") if it holds the information being requested, unless it is appropriate to apply one of the limited exemptions set out in the Act.

The Chancellor's post is a honorary post which is not remunerated.

Details of the Vice Chancellor's remuneration are published in the University's annual accounts which can be found at:

<http://www.birmingham.ac.uk/council/accounts.aspx>. Please see Refusal Notice 1 below which explains why you have been referred to the University's annual accounts for salary received in the University financial years 2015-16 and earlier. Refusal Notice 2 which explains why salary details for 2016-17 are not currently being disclosed.

Refusal Notice 1

Reasons for non-disclosure

Section 21 – Freedom of Information Act 2000 – Information reasonably accessible by other means

Under Section 21 of the Freedom of Information Act 2000 information is exempt from disclosure if it is reasonably accessible to the applicant by other means. This is an absolute exemption and the University is therefore not required to consider the public interest as the information is already available to the applicant in the public domain. In this case, the information requested is on the University's website. For convenience, the University provided a web link to where the requested information is located.

This is an absolute exemption.

Refusal Notice 2

Reasons for non-disclosure

Section 22 – Freedom of Information Act 2000 – Information intended for future publication

Section 22 of the FOIA provides that information is exempt if, at the time the University receives a request for it:

- the University holds it with a view to its publication;
- the University or another person intends to publish the information at some future date, whether determined or not; and
- in all the circumstances it is reasonable to withhold the information prior to publication.

Section 22 provides a qualified exemption, so the University must consider whether the public interest in applying the exemption is greater than the public interest in providing the information.

The University holds details of the Vice Chancellor's salary for 2016/17 with a view to publishing it in the 2016/17 Annual Accounts. These and will be placed before Council in the Autumn of 2017 for approval with a view to approved Annual Accounts being placed in the University's website before the end of the year.

Therefore the information requested is held by the University with the settled expectation that it will be published.

The Public Interest Test

The University has given consideration to whether the public interest in maintaining the exemption is greater than the public interest in providing the information.

The University recognises that it is in the public interest to place in the public domain the information being requested. However it believes that it is appropriate and to be of greater public benefit if all information in the University's Annual Accounts is released at the same time so that it may be read in its proper context.

This information will be placed into the public domain before the end of this year in accordance with an established publication schedule. The University therefore considers that it is reasonable in all the circumstances to withhold the information.

The University of Birmingham

This documentation has been produced in response to a request made under the terms of the Freedom of Information Act 2000.

The copyright in this documentation will be held by the University of Birmingham, a wholly owned subsidiary company of the University, or a third party associated with the University. In the absence of a notice to the contrary, it should be assumed that the copyright is held by the University of Birmingham.

Except as otherwise permitted under the Copyright Designs and Patents Act 1988, and subsequent related legislation, this documentation may only be reproduced, stored or transmitted in any form or means, with the prior permission of the University of Birmingham (or other rights holders).

Enquiries concerning reproduction outside the terms of the legislation should be made to:

Legal Services, The University of Birmingham, Edgbaston, Birmingham B15 2TT

© The University of Birmingham 2017