

Our Reference: FOI.2020.08.339

UNIVERSITY OF
BIRMINGHAM

Legal Services

Director
Mrs N Cárdenas Blanco LLB
Solicitor

Chanice Taylor
What do they know

(By Email)

16 December 2020

Dear Ms Taylor

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

Please accept our apologies for the late response to your request for information dated 13 August 2020. 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:

I was interested in reading the Race Equality Charter submission which the university received a Bronze award for. I have looked on the university website, but could not find a copy of the submission, only an actions plan?

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.

Due to the Coronavirus (COVID-19) pandemic the University of Birmingham is adapting its usual approach to processing Freedom of Information requests in order to meet the unprecedented challenges we are all facing. The University campus is effectively closed with only essential staff, and researchers engaged in supporting action on COVID 19 on campus. Whilst some staff are able to work remotely, they are concentrating on supporting teaching and learning for our students who are still studying online. We are mindful that information requests place some degree of demand on a public authority's resources in terms of costs and staff time and that for the foreseeable future The University must prioritise resources to other areas. We therefore apologise for the long delay in reply to your request.

I was interested in reading the Race Equality Charter submission which the university received a Bronze award for. I have looked on the university website, but could not find a copy of the submission, only an actions plan?

Please see the attached document, the Refusal Notice below explains why some data has been withheld.

Refusal Notice 1

Reasons for non-disclosure

Section 40 (2) – Freedom of Information Act 2000 – Personal Information

The University is not required to provide information if by doing so a third party's personal information would be disclosed in contravention of one of the data protection principles set out in data protection law, in particular the (EU) 2016/679 (General Data Protection Regulation (GDPR)) or the Data Protection Act 2018. In this instance, some of the information that has been redacted is personal information relating to individuals who could be identified from the information, and it is not information which either they have consented to being placed in the public domain or which they would expect to be placed in the public domain.

The University believes that disclosure of the withheld information would contravene the data protection principles. Therefore, under Section 40(2) of the Act, the University has not provided you with the information you have requested.

This is an absolute exemption and there is no need to apply the public interest test.

More information about the exemption in this section of the Act is available on the Information Commissioner's Office's website <https://ico.org.uk/>.

The University of Birmingham

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