

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 24 November 2021

Public Authority: The Governing Body of the University of East London

Address: Governance and Legal Services
University Way
London
E16 2RD

Decision (including any steps ordered)

1. The complainant requested information from the University of East London ("the University") about the Post Qualified Professional Practice Programme. By the date of this notice the University had failed to provide a substantive response to this request.
2. The Commissioner's decision is that the University has breached section 10(1) of the FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner requires the University to take the following steps to ensure compliance with the legislation.
 - Respond to the complainant's request in accordance with the FOIA.
4. The University must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Request and response

5. On 17 August 2021, the complainant wrote to the University and requested information in the following terms:

"Please provide me with the following information:

1. General Information in relation to Post Qualified Professional Practice Programme at UEL:

A. Please provide me with all information about Post Qualified Professional Practice Programme which was published on UEL website, including the date on which it was published and amended.

B. Please provide me with information about duration of Post Qualified Professional Practice Programme, including the start and the end date of it.

C. Please provide me with information about costs of Post Qualified Professional Practice Programme, including the costs of its development and implementation. Please mention separately the overall costs and costs for each year of implementation.

D. Please provide me with information about every item of the cost separately for each year of implementation.

E. Please provide me with all available records and internal documentation in regard to Post Qualified Professional Practice Programme, such as list of activities, annual reports etc.

2. Information in relation to students attended Post Qualified Professional Practice Programme at UEL:

A. Please provide me with information about the number of students attended Post Qualified Professional Practice Programme. Please provide the information separately for each academic year.

B. Please provide me with information about the overall number of students applied for Post Qualified Professional Practice Programme.

C. Please provide me with information about the number of students refused a place within Post Qualified Professional Practice Programme.

3. Information in relation to people involved into Post Qualified Professional Practice Programme as employees/ freelancers or in other capacity:

A. Please provide me with information about the total number of staff involved in Post Qualified Professional Practice Programme. Please make a separate statement for the staff involved in the programme

as employees/ freelancers or in other capacity. This information should include type of the contractual obligation, hours of annual engagement, information about individual payment etc. for each member of the staff.

B. Please provide information about staff involvement separately for each year of Post Qualified Professional Practice Programme."

6. On 8 September 2021, the University sought clarification of the request as follows:

"1. Are you referring to the Social Work Post Qualifying MA in Professional Practice, or a specific short course?

2. Can you confirm the dates you require data for ? We know that you said 2016-2020 but assume you want Academic Years ie 16/17 – 20/21?"

7. On 8 September 2021, the complainant responded to the clarification request in the following terms:

"I clearly stated that I am referring to Post Qualified Professional Practice and not to specific short courses.

I also clearly named the years for which information is needed. If you believe that the data will be more accurate if you refer to the whole academic year, please feel free to do so."

8. To date, a substantive response has not been issued.

Scope of the case

9. The complainant contacted the Commissioner on 2 November 2021 to complain about the failure by the University to respond to her request.
10. The Commissioner has considered whether the University has complied with its obligations in relation to the time for compliance at section 10 (1) of the FOIA.

Reasons for decision

11. Section 1(1) of the FOIA states that:

Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds

*information of the description specified in the request, and
(b) if that is the case, to have that information communicated to him.*

12. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and "not later than the twentieth working day following the date of receipt."
13. On 8 November 2021, the Commissioner wrote to the University, reminding it of its responsibilities and asking it to provide a substantive response to the complainant within 10 working days.
14. Despite this intervention the University has failed to respond to the complainant.
15. From the evidence provided to the Commissioner in this case, it is clear that the University did not deal with the request for information in accordance with the FOIA. The Commissioner finds the University has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with the FOIA.

Right of appeal

16. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

17. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
18. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Michael Lea
Team Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF