

Freedom of Information Act 2000 (Section 50)

Decision Notice

Date: 7 February 2011

Public Authority: The University of Salford
Address: 43 Crescent
Salford
M5 4WT

Summary

Between 4 November and 2 December 2009 the complainant submitted 13 requests for information to the University of Salford. The requests were initially refused under section 12 of the Act, on the basis that the costs of complying with the request would exceed the appropriate limit. At internal review, the reason for refusal of the requests was changed to apply section 14 of the Act, refusing the requests as vexatious in common with a number of other requests submitted by various parties at around the same time. The Commissioner finds that the public authority correctly refused the requests under section 14(1) of the Act and requires no action to be taken.

The Commissioner's Role

1. The Commissioner's duty is to decide whether a request for information made to a public authority has been dealt with in accordance with the requirements of Part 1 of the Freedom of Information Act 2000 (the "Act"). This Notice sets out his decision.

Background

2. Between the end of October 2009 and early February 2010 the university received slightly over 100 requests for information, submitted by 13 individuals, all but three of which were submitted via the WhatDoTheyKnow.com website. This constituted a significant increase in the number and rate of receipt of requests, compared to the volume received prior to October 2009. The university explains that, for comparison, during the whole of 2008, it received 117 requests,

submitted by 78 different requesters (none of whom had submitted more than 3 requests in the year) and that, during the rest of 2009, it had received a total of 78 requests. Prior to this sudden increase in requests, the university had not received any requests via WhatDoTheyKnow.com (WDTK), or any other FOI website, which led it to conclude that its receipt of so many requests, so quickly, via the same route could not be down to chance alone.

3. The requests originated from a comparatively small number of individuals who, the university believed, had connections to a former staff member who had recently been dismissed by it. The public authority considered this to be a concerted attempt to disrupt its activities by a group of activists undertaking a campaign.

The Request

4. The complainant's requests are listed in full, in chronological order in Annex 2 to this Decision Notice. The history of each request is briefly summarised below.
5. The first request was submitted on 4 November 2009¹ and refused under section 12 of the Act (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.
6. The second request was submitted on 10 November 2009² and refused under section 12 (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.

¹ See http://www.whatdotheyknow.com/request/international_travel_by_staff_fr#comment-11549

² See http://www.whatdotheyknow.com/request/international_travel_by_director#incoming-79039

7. The third request was submitted on 12 November 2009³ and refused under section 12 (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.
8. The fourth request was submitted on 13 November 2009⁴ and refused under section 12 (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.
9. The fifth request was submitted on 15 November 2009⁵ and refused under section 12 (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.
10. The sixth request was also submitted on 15 November 2009⁶ and refused under section 12 (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.

³ See

http://www.whatdotheyknow.com/request/use_of_regulation_of_investigato_2#incoming-79041

⁴ See http://www.whatdotheyknow.com/request/compromise_agreements#incoming-79042

⁵ See

http://www.whatdotheyknow.com/request/international_travel_expenses_of#incoming-79043

⁶ See

http://www.whatdotheyknow.com/request/salaries_of_more_than_70000_2#incoming-79045

11. The seventh request was also submitted on 15 November 2009⁷ and refused under section 12 (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.
12. The eighth request was submitted on 16 November 2009⁸ and refused under section 12 (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.
13. The ninth request was also submitted on 16 November 2009⁹ and refused under section 12 (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.
14. The tenth request was submitted on 18 November 2009¹⁰ and refused under section 12 (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.

⁷ See

http://www.whatdotheyknow.com/request/details_of_the_external_activiti_2#incoming-79046

⁸ See

http://www.whatdotheyknow.com/request/domestic_travel_of_prof_john_wil#incoming-79048

⁹ See

http://www.whatdotheyknow.com/request/domestic_travel_of_dr_christophe#incoming-79049

¹⁰ See

http://www.whatdotheyknow.com/request/appointments_to_posts_at_grade_6#incoming-79051

15. The eleventh request was submitted on 20 November 2009¹¹ and refused under section 12 (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.
16. The twelfth request was submitted on 30 November 2009¹² and refused under section 12 (costs for compliance) on 2 December 2009. The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.
17. The thirteenth request was submitted on 2 December 2009¹³ and refused on the same day under section 12 (costs for compliance). The complainant requested an internal review of the university's response on 3 December 2009. The university's internal review outcome was communicated to the complainant on 7 April 2010. The internal review upheld the previous decision to refuse the request, but on the basis it was vexatious, not under section 12 of the Act.

The Investigation

Scope of the case

18. On 18 February 2010 the complainant contacted the Commissioner to complain about the way her request for information had been handled. At that time the complainant specifically asked the Commissioner to consider various points associated with the university's refusal of the request under section 12 of the Act and delays in the conduct of an internal review.

¹¹ See http://www.whatdotheyknow.com/request/family_members_accompanying_seni#incoming-79052

¹² See http://www.whatdotheyknow.com/request/travel_and_expenses_policies#incoming-79050

¹³ See http://www.whatdotheyknow.com/request/memoranda_of_understanding_memor#incoming-79053

19. The Commissioner informed the complainant that he had written to the university to recommend it to provide its internal review within 20 working days, and the complaint could be reopened if she remained dissatisfied at the outcome of the internal review.
20. Following receipt of the internal review, the complainant wrote again, asking the Commissioner to consider the following:
 - She complained about the university's use of section 14 of the Act in refusing the requests as vexatious, when the original refusal had been on the grounds of cost, under section 12 of the Act.
21. The Commissioner's investigation has therefore focused on the university's application of section 14 of the Act to the complainant's requests.

Chronology

22. On 16 March 2010 the Commissioner wrote to the university to remind it of its obligations to conduct an internal review, and asked it to communicate the outcome of that review to the complainant within 20 working days.
23. On 14 May 2010 the university wrote to the Commissioner to explain the circumstances behind its use of section 14 of the Act.
24. On 17 May 2010 the complainant wrote to the Commissioner with her revised grounds of complaint, as outlined above.
25. The Commissioner had, at this time, received a number of complaints from various individuals who had had their requests similarly refused by the university. He corresponded with the university about a variety of cases and received a considerable amount of material from it in support of its position, between June and October 2010.
26. On 25 June the Commissioner wrote to the complainant to set out the scope of his investigation into the application of section 14 of the Act. He invited the complainant's arguments in support of her position.
27. On 30 June 2010 the complainant replied with her response to the Commissioner's enquiries.

Analysis

Substantive Procedural Matters

28. The Information Tribunal in the case of *McIntyre v IC & Ministry of Defence* (EA/2007/0068)¹⁴ states, at paragraph 38:

"[...] the Act encourages or rather requires that an internal review must be requested before the Commissioner investigates a complaint under s.50. Parliament clearly intended that a public authority should have the opportunity to review its refusal notice and if it got it wrong to be able to correct that decision before a complaint is made."

Therefore this Decision Notice will examine the university's application of section 14(1) of the Act, not its initial application of section 12(1) of the Act.

Section 14

29. The Commissioner will consider the context and history of the requests as well as the strengths and weaknesses of both parties' arguments in relation to some or all of the following five factors to reach a reasoned conclusion as to whether a reasonable public authority could refuse to comply with the requests on the grounds that they were vexatious:

- whether compliance would create a significant burden in terms of expense and distraction;
- whether the requests are designed to cause disruption or annoyance;
- whether the requests have the effect of harassing the public authority or its staff;
- whether the requests can otherwise fairly be characterised as obsessive or manifestly unreasonable;
- whether the requests have any serious purpose or value.

Context and history

30. This complaint is unusual in that the public authority has elected to refuse the requests not in isolation, but in the wider context of a

¹⁴ Available online at <http://www.informationtribunal.gov.uk/DBFiles/Decision/i99/McIntyre.pdf>

substantial number of freedom of information (FOI) requests received during the material time and which it believes are associated with each other to varying degrees.

31. The associations derive not only from the timing, in which a small number of individuals have submitted a volume of requests roughly equivalent to a year's-worth of requests, during a period of about three months (approximately two-thirds of which were submitted within a seven week period from November to mid-December), but also due to some significant similarities in the information requested and the means by which the requests were submitted.
32. The Commissioner accepts that a public authority which was subject to a surge in the number and rate of FOI requests it received, many of which were complex and multifaceted, would find dealing with that surge a burden, both in terms of cost and staff resources in processing and responding to the requests. He acknowledges that a public authority is unlikely to have allocated staffing resources to FOI compliance, beyond those which are necessary to deal with its normal level of business. However it does not follow that that requests which form part of a surge or increase can then be classed as vexatious. But the Commissioner agrees that such a surge will be likely to constitute a burden and consequently distract the public authority from other activities and functions. Whether any of the requests that make up the surge can be classed as vexatious may depend, for example, on whether there are any further factors which point to any deliberate intent to cause such an effect and patterns of requests made by individual requesters.
33. In this case, the complainant's requests were initially refused on the grounds of cost, not as vexatious, which might be thought to suggest that the requests had not had the effect of 'vexing' the public authority or its staff, by which he envisages the receipt of the requests as causing 'vexation' in terms of concern or other harassment. The Commissioner is aware that this is only one of the tests, listed above, which could be applied and the decision as to whether a request is vexatious will depend on the circumstances including, but not restricted to, the outcome of some or all of the tests above when weighed in the balance.
34. Whether the public authority, or its staff, is harassed by the requests is not determinative by itself. The Commissioner observes that his consideration of the context and history of a request acknowledges that the request itself is not the only element to be taken into account. It may only be when the wider context is considered that a public authority forms the opinion that a request is vexatious. In many cases, this will be because the applicant has a history of dealings with the public authority which will inform its view of the character of the request.

35. The Commissioner acknowledges, however, that a request may conceivably be vexatious even if the applicant has had no prior contact with the public authority and therefore that a public authority ought to be able to refuse a request received 'out of the blue' if it believes that the request may reasonably be characterised as vexatious. As such a request may not, at first receipt, appear vexatious; the Commissioner accepts that a public authority may occasionally find itself in a position where other information has come to light which causes it to reassess the nature of the request, at the time it was made. This is consistent with the position expressed by the Information Tribunal in *McIntyre*, above.
36. The requests are argued by the university to exhibit characteristics which connect them to an individual who had been suspended from his post-graduate staff position in May 2009 on disciplinary grounds and subsequently dismissed in August 2009 (and upheld at appeal in September 2009). At the time of writing, the matter is due to be heard by the Employment Tribunal. The university believes that the timing and content of the requests strongly suggests that the requesters have been acting in pursuit of a continuing campaign (connected to the dismissed individual), in order to disrupt the workings of the university.
37. The Commissioner recognises that there is nothing in the Act which prevents the aggregation of requests from disparate sources for the purposes of section 14 of the Act, and he is mindful that section 12 of the Act makes specific provision for just such a process for the consideration of costs, where two or more requests have been made by different persons who appear to the public authority to be acting in concert, or in pursuance of a campaign. The university has argued that a similar provision ought to apply in the circumstances of these requests, as to do otherwise would permit individuals to circumvent legitimate refusals of vexatious requests by submitting them, or appearing to submit them, via another person. The Commissioner has also noted the approach taken in a number of cases related to Forestry Commission Scotland.¹⁵ In these cases he accepted that a number of applicants were acting together, in pursuance of a campaign and this was a relevant consideration as to whether the requests were vexatious.
38. In the case of a refusal under section 12 (costs) as a result of the aggregation of multiple requests, it is for the public authority to show that the refused requests are connected and the Commissioner will consider the matter on the merits of the case. Accordingly, for his investigation of the application of section 14 to the requests, he has

¹⁵ FS50176016, FS50176942, FS50187763, FS50190235

sought the public authority's arguments for its belief that the requests under consideration have been submitted by persons who are acting in concert, or in pursuance of a campaign.

39. The university has not been able to demonstrate indisputable links between all the parties whose requests have been refused. It has, however, demonstrated to the Commissioner's satisfaction that a significant number of the requests are related to topics raised by the dismissed individual, either overtly or via anonymous blogs and posts, including a series of what the university characterised as scurrilous newsletters, highly critical of the university's senior staff, titled 'The Vice Consul's Newsletters' which were created and in circulation at the university at the time of the requests. The 'Vice Consul's Newsletters' have been linked conclusively to that individual and were a factor in his dismissal. The dismissed individual has also authored a blog website, 'Vagrants in the Casual Ward of a Workhouse' which continues to campaign about related matters, contains criticism of the university (including discussion of the circumstances of his dismissal and forthcoming Employment Tribunal hearing), and makes reference to the FOI requests.
40. The university has provided the Commissioner with extracts taken from a different anonymous blog, 'The ratcatchers of the sewers' (the 'Ratcatchers' blog) which adopts a similar satirical tone and is also substantially directed against the University of Salford, making similar arguments and accusations. The university contends that there is a connection to the dismissed individual, but it has not been conclusively linked to him in the university's submissions to the Commissioner. The blog also confirms that several of the FOI requests were submitted by its contributors and encourages its readers to continue the practice.
41. The question for the Commissioner on this issue is: whether the apparent links between the requests, various blogs, and the parties making the requests can be considered as part of a deliberate campaign, and that the individual requesters are acting in concert or whether, even if the requests are linked to the topics on the blogs, they have been prompted by the matters raised on the blogs and elsewhere but the requester is asking them for his own reasons and not to any collective agenda. This does not need to be proved indisputably, but on a balance of probabilities.
42. A third possibility also arises, in that it could have been the intention of the blog posters to stimulate a series of FOI requests on topics of their choosing and, in doing so, their readers have unwittingly carried out their wishes without any deliberate, vexatious intent. This would not, in the Commissioner's view, necessarily prevent any such requests being

characterised vexatious as, under section 14 of the Act, it is the request, not the requester, which is vexatious.

43. The Commissioner would draw comparisons with a tactic employed on the internet, known as a denial of service attack¹⁶ whereby a target is 'bombarded' with numerous enquiries or demands for service which overwhelms its capacity to respond and effectively prevents its normal operation. The Commissioner also observes that, during this time the university's FOI department would also have been required to deal with its normal level of FOI business.
44. He has been presented by the university with a significant body of evidence to suggest that at least some parties were deliberately undertaking a course of action whose intent was analogous to a 'denial of service attack' and while the complainant has no clear and acknowledged links to parties who have grievances against the public authority, the subject material of her requests is similar to that contained in requests submitted by the dismissed individual during the same period.
45. The university has not made any specific arguments in respect of the complainant's requests, its position is that the overall circumstances apply to all the refused requests and no particular request is considered in isolation. The Commissioner therefore applies its general arguments in the context of the complainant's requests. As the complainant refers to the 13 requests collectively in the one complaint, the Commissioner has taken the 13 requests altogether as far as possible.

Would compliance create a significant burden in terms of expense and distraction?

46. The Commissioner is mindful that the requests were refused collectively, and he is in no doubt that the receipt of a year's-worth of requests compressed into three months, many of the requests being lengthy and complex, would create a significant burden in terms of expense and distraction for any public authority. Readers are directed to the Commissioner's Decision Notices in case references FS50288812 and FS50306518 which also relate to complaints about the same public authority from other parties who submitted requests which have been similarly refused.

¹⁶ Explained at http://en.wikipedia.org/wiki/Denial-of-service_attack

47. The Commissioner is guided by the Information Tribunal in the case of *Gowers v IC and London Borough of Camden* (EA/2007/0014)¹⁷ which stated at paragraph 70, that:

"We accept that in considering whether a request is vexatious, the number of previous requests and the demands they place on the public authority's time and resources may be a relevant factor [...]"

48. The Commissioner also notes that twelve of the complainant's thirteen requests under consideration in this notice are complex and would be likely to require substantial responses. Taken collectively they would create a significant burden in terms of distraction of the university's staff from their other duties in compiling the necessary information for a response and, even if each individual request were not considered likely to exceed the cost limit provided at section 12 of the Act (a matter not examined in this Decision Notice), the aggregate effect of the thirteen requests would be likely to also create a significant burden in terms of cost.
49. The Commissioner also finds the tribunal in the case of *Gowers* helpful in its general observations at paragraphs 27-29:

"[...] in our view, it cannot have been the legislative intention that a public authority should be relieved of its obligation to disclose information because a particularly sensitive member of staff may be distressed by it, [...]. The proper inquiry must be as to the likely effect of the request on a reasonable public authority. In other words, the standard to be applied is an objective one.

*Second, and for the same reason, we consider that a request cannot be vexatious just because the applicant is seeking information which the public authority or any of its staff may prefer not to disclose, for example, because it does not reflect well on them. Distress, annoyance, irritation or worry arising from the possible consequences of disclosure cannot turn an otherwise proper request into a vexatious one; indeed that would defeat the purpose of FOIA. This is consistent with the Tribunal's view as expressed in *Hossack v. IC and DWP* (EA/2007/0024), that for a request to be vexatious, the distress must be unjustified.*

*Third (and this is also a point made in *Hossack*), when considering if a request is vexatious, it is not only the request itself that must be examined, but also its context and history. A request which,*

¹⁷ Available online at <http://www.informationtribunal.gov.uk/DBFiles/Decision/i80/Gowers.pdf>

when taken in isolation, is quite benign, may show its vexatious quality only when viewed in context. That context may include other requests made by the applicant to that public authority (whether complied with or refused), the number and subject matter of the requests, as well as the history of other dealings between the applicant and the public authority. The effect a request will have may be determined as much, or indeed more, by that context as by the request itself."

50. The Commissioner considers, for reasons examined in the 'Context and History' section above, that it would also be reasonable in the circumstances to extend this latter argument to take into consideration other dealings with the public authority, made by third parties but which may be seen to have a bearing on the request(s) submitted by the complainant. The Commissioner notes, for example, the complainant's comments at paragraph 61, below, particularly her belief that requesters '*scent blood*' and her admission that the university's handling of requests resulted in her making further requests.

With reference to the complainant's thirteen requests as a whole, the following tests will be considered together:

Are the requests designed to cause disruption or annoyance?

Do the requests have the effect of harassing the public authority or its staff?

Can the requests otherwise fairly be characterised as obsessive or manifestly unreasonable?

51. The university argues that the overall number of requests it received in the period had the effect of harassing it and its staff. The university also argues that many of the requests, notably (but not exclusively) those submitted by the complainant, are complex and would have required substantial responses, and suggests that they may have been specifically drafted to have this effect.
52. The Commissioner's examination of the complainant's requests shows that, with the possible exception of the penultimate request (submitted 30 November 2009), all the requests consist of multiple parts, or request information to be itemised under multiple categories, or to be provided with reference to several, specified years. This introduces a level of complexity which would be likely to render the requests difficult to respond to in a straightforward manner. The university argues that the requests have been deliberately formulated in this way in order to cause disruption.

53. The Commissioner also notes the timing of the complainant's request-making. Of her 14 requests, submitted between 4 November and 2 December 2009, 11 were sent within the period 10-20 November 2009, an average of one per day but, notably, three requests were submitted on the same day, 15 November, and two the following day, making 5 complex, multi-part requests submitted within a 48-hour period. (Another request¹⁸, submitted by the complainant on 17 November, is not part of this complaint but is considered relevant to the argument). The Commissioner therefore acknowledges that the complex character of the complainant's requests, and the fact that many were submitted in quick succession, supports the university's contention that the requests were specifically designed to cause disruption.
54. While a requester cannot be expected to know the extent of a public authority's resources given over to FOI matters, and is not required to assess whether the current volume of requests is significant in terms of its overall FOI workload, the Commissioner has considered whether it ought to have occurred to a reasonable person to submit requests in a more measured fashion than that displayed by the complainant. Given the similarities between several of the complainant's requests and those submitted by others, the Commissioner considers that it is reasonable to assume that she was aware of the other requests being submitted at the same time. Her submissions to the Commissioner show a high degree of awareness of the other requests submitted to the university on the WDTK site. She was therefore conscious that her requests were not being received in isolation, but that the university would also have been required to deal with the other requests, alongside any other ongoing business. He therefore gives some weight to the university's argument that the complainant's requests were designed to create disruption.
55. The complainant was given the opportunity by the Commissioner to respond to the general arguments and did so. In her response she explained her belief that several of the multiple requests from the various parties (ie not exclusively hers) ought to have been combined and that the significant overlap between requests from different requesters was suggestive of a lack of detailed knowledge of the Act by the requesters, not of any vexatious intent.
56. She also argues that, of the 100+ requests listed by the university, 20 of the requests [all submitted 30 November 2009] were invalid, having been submitted under a pseudonym, Roger Norvegicus,¹⁹ and were

¹⁸ See

http://www.whatdotheyknow.com/request/foi_disclosure_logs_for_2007_200#comment-12984

¹⁹ See http://www.whatdotheyknow.com/user/roger_norvegicus

subsequently resubmitted under a different name [on 1 December 2009], which accounts for 40 of the requests. Furthermore, she argues that those 20 requests ought to have been submitted as a single request, which was subsequently done²⁰ [on 5 December] and that this therefore accounts for 41 of the 100 requests.

57. The Commissioner disagrees. It accounts for 20 of the 100+ requests, those which were invalid due to the use of a pseudonym. The remainder are, on the face of it, valid requests, which therefore require a formal response under the Act and consequently constitute part of the collective burden discussed above. The Commissioner also notes that processing and dismissing the Norvegicus requests will still have occupied some staff time and university resources, so they ought not to be dismissed entirely from the consideration of the overall burden.
58. The Commissioner observes further that the complainant has, in making this argument, omitted reference to one of her own requests of 15 November 2009 which pre-dates all 41 of the requests she refers to, but which requests substantially similar information, using a remarkably similar form of words. He considers that the repetition of the request, submitted as it was by a further three parties while the originating request was still 'in play', would be likely to cause a reasonable public authority to question the motivations of the requester.
59. The Commissioner has not received a complaint from 'Mr Norvegicus' about his refusal, nor from the individual who resubmitted the Norvegicus requests on 1 December 2009. While the Commissioner does not intend to suggest that this implies collusion on the part of the complainant, not least because it is her request which has, essentially, been copied and resubmitted, not her who is seen to have done the copying, he notes the complainant's argument:

"I don't believe that a number of requests put through whatdotheyknow.com is evidence of collusion. I think there is a "snowballing" effect as more people get interested in the authority as it very publicly ignores or rejects nearly every request. I recall that some of my requests were inspired by successful requests on the site to other authorities (eg University of Glasgow). Is that collusion? I don't think so."

60. The Commissioner would agree that taking inspiration for requests from other, successful, requests to other public authorities may not be evidence of collusion. However if the requests were simply motivated by

²⁰ See http://www.whatdotheyknow.com/request/salaries_of_70000_and_above#incoming-78978

a desire to make requests 'which should not be refused' this is a relevant factor. The submission of requests derived from elsewhere (she cites her 13 November 2009 request relating to 'compromise agreements' as such an example) can be considered, to some degree, indicative of a measure of obsessive or manifestly unreasonable behaviour.

61. The complainant also stated:

"Importantly, I also believe that if an authority repeatedly ignores requests, delays responses or tries to avoid them in other ways, requesters start to "scent blood", and this results in further requests. Of course, just because an authority ignores requests and replies very late doesn't mean that they necessarily have something to hide, and this may well be true of the University of Salford. But I freely admit that Salford's handling of FOI requests increased my interest in them and has resulted in further requests from me."

62. The Commissioner observes that, in the case of the 13 requests under consideration, all were submitted within the 20 working-day period from 4 November to 2 December 2009 and that the earliest request submitted via WDTK was dated 3 November 2009, consequently none of the requests submitted by any party, including the complainant, were outside the statutory 20 working day period (as defined at section 10 of the Act) by the time of the complainant's last request listed at Annex 2. Furthermore, none of the requests submitted via WDTK had been refused under any grounds, prior to 2 December 2009. Therefore none had, at the time of the complainant's 13 requests, been 'ignored', 'delayed' or 'avoided' in the way she argues. The Commissioner therefore finds the complainant's suggestion that, to some degree the public authority has brought this problem on itself by its own actions, unconvincing.

63. The Commissioner considers, however, that the complainant's admission, that the university's handling of FOI requests resulted in further requests from her, and her suggestion that requesters started to "scent blood" resulting in further requests, does suggest that later requests, at least, could justifiably be characterised as a form of attack on the university. It would, of course, be unfair to ascribe such motivations to other requesters when this is, on the face of it, merely the expressed opinion of one party in the context of her own requests, but as this is a position put forward by the complainant, the Commissioner considers it reasonable to take this possibility into account in relation to her requests.

64. The complainant's comment is relevant to the extent that it may shed light on her motivations as she herself has characterised them. It is not

clear that the motivations she describes were present from the beginning – her comments, above, would appear to suggest this was so, but the timing of the various refusals is inconsistent with such an argument. The complainant has submitted further requests, subsequent to those under consideration in this Decision Notice, and the Commissioner observes that her comments may therefore be more directly relevant to those requests.

65. Nevertheless, the complainant has made the argument in the context of the requests at issue in this investigation and the Commissioner is entitled to include them in his overall consideration. He considers that the complainant's admission that she submitted requests on the grounds that other requests had not (in her opinion) been well-handled by a public authority, would be manifestly unreasonable and any such requests might be considered designed to cause disruption.
66. The requests concentrate on themes common to a number of requests submitted via WDTK at the material time. A key subject is the activity of several named individuals in specific departments connected to the university's associations with China, which comprises eight of the thirteen requests. The complainant has given the Commissioner an address for correspondence in the People's Republic of China so this interest is not surprising, however the named individuals, and their recent trips to China on university business, are also subjects discussed on some of the various blogs referred to, above, at around the same time.
67. While it is a significant purpose of the Act that the use of public funds can be examined, some of the requests (including the complainant's 20 November request relating to family members accompanying staff on trips) are capable of being interpreted as implying some degree of impropriety. The university has explained that the named individuals whose expenses and travel details were requested were harassed by the intense attention focussed on their activities, and the public nature of the request. The Commissioner has considered this position carefully as it is important that legitimate requests of this nature, which may be persistent, are not labelled as vexatious. However in the circumstances of these cases he can accept the requests could have the effect of harassing the individuals. However this factor alone would not have been enough to enable the University to class the requests as vexatious.
68. The dismissed individual, who is suspected by the university to be instrumental in the alleged campaign undertaken via the WDTK website, has also submitted requests via WDTK of a similar nature, including one

on 3 November²¹ (the day before the complainant's first request). This individual has also submitted a complaint to the Information Commissioner's Office (ICO) about his requests and, as part of his submissions he has explained that his requests were related to claims he had made in his satirical newsletters (his description). He has also given a similar explanation for his requests in his online blog²² and the Commissioner observes significant similarities between the subject material of his requests and that of the complainant in this case, and also those of the complainant in case reference FS50306518 referred to in paragraph 46.

69. The Commissioner notes the complainant's first request is related in content to one submitted the previous day by the dismissed individual, and that her 11, 16 and 20 November requests are also on a similar topic and that they also bear similarities to a series of four requests submitted on 11 November by the dismissed individual. This is one of the topics the dismissed individual explains was the subject of requests he made in order to substantiate claims he had made against the university in his satirical newsletters. The Commissioner would agree that this might give the dismissed individual grounds to assert a serious purpose for his requests, but he considers that for the complainant to raise very similar topics suggests either a degree of collusion with the dismissed individual (which could be considered manifestly unreasonable in the circumstances), or an obsessive or unreasonable intent to pursue the same subject in her own right, regardless.
70. Due to the requests' complexity and the fact that all were submitted in a comparatively short period, and many were submitted in quick succession, he also gives further weight to the university's argument that the requests were designed to cause disruption.
71. The university has argued that, taken as a whole, the requests demonstrate an obsessive pattern of behaviour among the complainant and the wider group of requesters. The Commissioner notes a particular focus on certain subjects within the complainant's requests, and an element of duplication or repetition of requests already submitted by others which might be thought to suggest at least a degree of obsessive behaviour on the part of the complainant. Accordingly, he gives this argument some weight.

²¹ See http://www.whatdotheyknow.com/request/visit_to_china_octobernovember_2#outgoing-59647

²² See, for example, the entry for 17 September 2010 at: <http://www.vagrantsinthecasualwardofaworkhouse.blogspot.com/>

Do the requests have any serious purpose or value?

72. Where a request does have a serious purpose or value this may often be the most helpful argument to a complainant's case. In other words, if a request *does* have serious purpose and value, then this would be an argument to weigh *against* the other vexatious arguments. This was put to the complainant and she was invited to provide her reasons for believing the requests had serious purpose or value. In order to prevent an otherwise vexatious request from being vexatious, the serious purpose or value of a request would have to be sufficient to overcome the weight of any other factors present.

73. The complainant also submitted arguments to show her serious purpose in making the requests. These may fairly be summarised as a desire to examine the use of public funds, particularly in the context of what the complainant describes as:

"numerous business trips to China, [taken by named individuals] separately and together, at significant cost"

and:

"[...] speculation that [name] has been accompanied on business trips by [family member], that travel was not always booked with a university supplier, and that [name] in particular occasionally booked extravagant hotel rooms or suites. I was told this by a member of Salford staff but I don't know if it's true".

74. The Commissioner accepts that there are perfectly reasonable grounds for wishing to request information in order to examine a possible misuse of public funds and he has given appropriate weight to the complainant's assertions. This weight is diminished, in part, because he also acknowledges the types of comment on similar subjects posted in some of the various blogs and newsletters referred to previously in this Decision Notice and which the university asserts form part of a campaign.

75. This campaign has, to some extent, been acknowledged by, among others, the dismissed individual himself who admits his requests (which include several of those about the university's activities in China) were submitted to *"deal with claims contained within [his satirical] Vice Consul's Newsletters"*. While the dismissed individual clearly has good reason for wishing to corroborate his allegations, his blog, and others such as the 'Ratcatchers' blog, have advocated the use of FOI requests in pursuit of topics which are closely reflected in the requests at issue. Such incitement to make FOI requests might reasonably be characterised in the circumstances as an abuse of the FOI process.

76. Any serious purpose in uncovering impropriety can only be given significant weight as justification for the pattern and nature of the requests if there are reasonable grounds for the suspicion. If a request had its origins in curiosity surrounding rumours or gossip, the Commissioner would not easily be persuaded by an argument that this, by itself, would amount to sufficient serious purpose to outweigh the other, countervailing, arguments. The complainant offers no evidence to suggest the rumours are anything other than malicious gossip. As this appears, from the complainant's comments above, to lie behind at least some of her requests (ie those relating to foreign travel and China), the Commissioner gives no significant weight to the complainant's 'serious-purpose' arguments in respect of those requests which relate to the possible misuse of funds during various trips to China.
77. Furthermore, for reasons examined in paragraph 60, the Commissioner considers the complainant's more general 'serious-purpose' arguments to be inconclusive.
78. The Commissioner therefore finds that the complainant's serious purpose for making the requests can only be given moderate weight, partly because they are based on what the complainant admits are unsupported allegations, partly because others were already actively pursuing the subject at the same time, and partly because some of her requests are admitted to be derived from requests put by others to entirely different public authorities and therefore lack any intrinsic 'serious purpose' which might suggest that those requests ought not to be classed as vexatious.
79. The Information Tribunal in the case of *Coggins v IC* (EA/2007/0130)²³ stated, at paragraph 20:

"[...] the Tribunal could imagine circumstances in which a request might be said to create a significant burden and indeed have the effect of harassing the public authority and yet, given its serious and proper purpose ought not to be deemed as vexatious."

The Commissioner is not persuaded that this is such a case.

Summary

80. The Commissioner accepts the university's wider arguments that, taken as a whole, the requests constituted a significant burden in terms of

²³ Available online at <http://www.informationtribunal.gov.uk/DBFiles/Decision/i119/Coggins.pdf>

expense and distraction and also agrees that the complainant's requests, due to their complexity and submission in quick-succession, appear designed to cause disruption. He finds that the named individuals in the complainant's requests would be likely to feel harassed by the requests and that, taken as a whole, the surge in the number and rate of the requests would be likely to constitute a significant burden. He gives some limited weight to the university's suggestion that the requests are obsessive but, balancing these arguments he also gives a little weight to the complainant's argument that her requests have serious purpose. The Commissioner acknowledges that if public funds have been misused or travel expenses used inappropriately, then individuals responsible ought not to be spared harassment by the application of section 14 of the Act, however when all the factors are weighed together, he is satisfied that the public authority's arguments outweigh those of the complainant and, consequently, he finds that the requests were correctly refused as vexatious under section 14(1) of the Act.

The Decision

81. The Commissioner's decision is that the public authority dealt with the following elements of the request in accordance with the requirements of the Act:

- The public authority correctly applied section 14 of the Act to refuse the complainant's 13 requests for information.

82. However, the Commissioner has also decided that the following elements of the request were not dealt with in accordance with the Act:

- In changing its grounds for refusal from section 12(1) (costs) to section 14(1) (vexatious request) at internal review, the public authority has breached section 17(5) because it has failed to give the complainant a notice stating that it relied on a claim that section 14 applied to her requests within 20 working days.

Steps Required

83. The Commissioner requires no steps to be taken.

Other matters

84. Although they do not form part of this Decision Notice the Commissioner wishes to highlight the following matters of concern:
85. The Commissioner notes that the complainant's requests were all initially refused on the grounds that the costs for compliance with the requests would exceed the statutory limit of £450, under section 12(1) of the Act. The university has explained that its internal review was conducted taking into account the significant number of requests received in the interim, from a variety of individuals, via the 'WhatDoTheyKnow.com' (WDTK) website. Its conclusion, at the end of that review, was that all the requests should be refused as vexatious under section 14(1) of the Act. This leads to a mismatch between the initial (2 December 2009) refusal notice and the (7 April 2010) internal review which 'upheld' the initial refusal.
86. The university appears to have sent the same internal review letter to all the refused WDTK requests it reviewed, and to have consequently overlooked the fact that the complainant's requests had not been refused on the same grounds as the majority of the other requests from the WDTK website. The Commissioner observes that this might have given rise to a reasonable suspicion that any internal review into the complainant's requests was not a *"fair and thorough review of handling issues and of decisions taken pursuant to the Act"* as required by the Code of Practice²⁴ issued in pursuance of section 45 of the Act.
87. In the event the Commissioner is satisfied that, in the specific circumstances, the university undertook a thorough and appropriately-directed internal review which properly took into account matters which may not have been apparent at the time the requests were initially refused. As reflected in his decision above, he concurs with the outcome of that review. The Commissioner nevertheless wishes to remind public authorities to exercise appropriate caution when reviewing multiple requests, to ensure that any review (and associated response) is pertinent to both the requests and the circumstances of any refusal of (or previous response to) those requests.

²⁴ Available to download from <http://www.justice.gov.uk/guidance/foi-guidance-codes-practice.htm>

88. The university's internal review took longer than the timescale set out in the Commissioner's guidance²⁵, which expects an internal review to be conducted within 20 working days or, in exceptional circumstances within 40 working days. The university has explained that it was overwhelmed by the receipt of the requests and formed the view that its existing complaints procedure was unsuitable in the circumstances. It subsequently sought guidance from an external firm of solicitors with expertise in FOI matters, which undertook to produce a report on its behalf. It received that report on 17 March 2010 and the advice was accepted by the Deputy Vice Chancellor on 31 March 2010. The internal review was communicated to the complainant on 7 April 2010.
89. The Commissioner therefore notes that the internal review was not conducted to the timescale recommended in his guidance, but accepts that in the specific and unusual circumstances surrounding this complaint, the university had reasonable grounds for exceeding those timescales.

²⁵ See

http://www.ico.gov.uk/upload/documents/library/freedom_of_information/detailed_specialist_guides/time_limits_internal_reviews.pdf

Right of Appeal

90. 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,
Arnhem House,
31, Waterloo Way,
LEICESTER,
LE1 8DJ

Tel: 0845 600 0877

Fax: 0116 249 4253

Email: informationtribunal@tribunals.gsi.gov.uk.

Website: www.informationtribunal.gov.uk

91. 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.
92. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this Decision Notice is sent.

Dated the 7th day of February 2011

Signed

Steve Wood
Head of Policy Delivery
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Legal Annex

S.1 General right of access

Section 1(1) provides 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.'

Section 1(2) provides that -

'Subsection (1) has the effect subject to the following provisions of this section and to the provisions of sections 2, 9, 12 and 14.'

Section 1(3) provides that –

'Where a public authority –

(a) reasonably requires further information in order to identify and locate the information requested, and

(b) has informed the applicant of that requirement,

the authority is not obliged to comply with subsection (1) unless it is supplied with that further information.'

Section 1(4) provides that –

'The information –

(a) in respect of which the applicant is to be informed under subsection (1)(a), or

(b) which is to be communicated under subsection (1)(b),

is the information in question held at the time when the request is received, except that account may be taken of any amendment or deletion made between that time and the time when the information is to be communicated under subsection (1)(b), being an amendment or deletion that would have been made regardless of the receipt of the request.'

Section 1(5) provides that –

'A public authority is to be taken to have complied with subsection (1)(a) in relation to any information if it has communicated the information to the applicant in accordance with subsection (1)(b).'

Section 1(6) provides that –

'In this Act, the duty of a public authority to comply with subsection (1)(a) is referred to as 'the duty to confirm or deny'.'

S.12 Exemption where cost of compliance exceeds appropriate limit

Section 12(1) provides that –

'Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.'

Section 12(2) provides that –

'Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.'

Section 12(3) provides that –

'In subsections (1) and (2) 'the appropriate limit' means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.'

Section 12(4) provides that –

'The secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority –

(a) *by one person, or*

(b) *by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,*

the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.'

Section 12(5) – provides that

'The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are estimated.'

S.14 Vexatious or Repeated Requests

Section 14(1) provides that –

'Section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious'

Section 14(2) provides that –

'Where a public authority has previously complied with a request for information which was made by any person, it is not obliged to comply with a subsequent identical or substantially similar request from that person unless a reasonable interval has elapsed between compliance with a previous request and the making of the current request.'

Annex 2 – The complainant's requests in chronological order

Request dated 04/11/2009

http://www.whatdotheyknow.com/request/international_travel_by_staff_fr#comment-11549

Please provide details of all international business travel undertaken by the following:

Professor John Wilson, Head of Salford Business School;
Ms Xiang Li, Salford Business School PhD Student and part-time member of staff,

since 1st September 2006, as well as any trips already in progress or currently in planning.

Please itemise trips by dates of travel, destination, purpose, cities and countries visited, and alleged benefit derived in each case.

Please also provide, for Prof Wilson and Ms Li separately, details of total expenditure on travel during the period indicated as well as expenditure per trip. Please identify expenditure for each trip on each of the following:

- International airfares
- Domestic airfares
- Other transportation
- Hotel accommodation
- Subsistence/daily allowances
- Communication
- Hospitality
- Other expenses (itemised).

For each trip, please indicate the class of travel booked for international flights (eg Economy, Premium Economy, Business, First), the identity of the supplier (travel agent) through which flights and accommodation were booked, and the university cost code for each item of expenditure.

Please also provide details of how much of this expenditure was paid out of University funds and how much was re-claimed from non-university sources in each case.

Request dated 10/11/2009

http://www.whatdotheyknow.com/request/international_travel_by_director#incoming-79039

Please provide details of all international business travel undertaken by the following:

Dr Richard Li-Hua, Director of China Programmes, Salford Business School

since his appointment, as well as any trips already in progress or currently in planning.

Please itemise trips by dates of travel, destination, purpose, cities and countries visited, and alleged benefit derived in each case.

Please also provide details of total expenditure on travel during the period indicated as well as expenditure per trip. Please identify expenditure for each trip on each of the following:

- International airfares
- Domestic airfares
- Other transportation
- Hotel accommodation
- Subsistence/daily allowances
- Communication
- Hospitality
- Other expenses (itemised).

For each trip, please indicate the class of travel booked for international flights (eg Economy, Premium Economy, Business, First), the identity of the supplier (travel agent) through which flights and accommodation were booked, and the university cost code for each item of expenditure.

Please also provide details of how much of this expenditure was paid out of University funds and how much was re-claimed from non-university sources in each case.

Please also list the exact titles of the China Programmes for which Dr Li-Hua is the Director.

Request dated 12/11/2009

http://www.whatdotheyknow.com/request/use_of_regulation_of_investigato_2#incoming-79041

I am writing to enquire on the use of the RIPA law by the University of Salford. Specifically:

- 1) How many University employees have the power to authorise the use of RIPA, and what is their designated grade?
- 2) How many times have RIPA powers been used in each of the last 5 years? On what dates were the requests made and by whom?
- 3) For what purposes was RIPA used? What type of investigation was being undertaken? What was the motivation for using RIPA? What were the outcomes of the RIPA requests? Please provide details for the past 5 years.
- 4) Over the past 5 years, by each year, how many people have been prosecuted as a result of evidence gathered through the use of RIPA sanctioned investigations, and how many of these prosecutions have led to convictions?

For all of the above, where possible, please provide the ethnicity and gender of the people concerned who were under the RIPA sanctioned investigations.

Request dated 13/11/2009

http://www.whatdotheyknow.com/request/compromise_agreements#incoming-79042

Please could you inform me how many University of Salford staff have:

- 1) Signed a compromise agreement since September 2004?
- 2) How many of these resulted in the termination of their employment with the University of Salford?
- 3) How long they had been working for the University of Salford?
- 4) How old they were on their day of leaving?
- 5) What category of staff they were (eg academic, academic-related, etc)?

6) What was the reason for the compromise agreement in each case?

Request dated 15/11/2009

http://www.whatdotheyknow.com/request/international_travel_expenses_of_incoming-79043

Please provide details of all international business travel undertaken by the following:

Dr Christopher Andrew, Head of School of Art & Design

since his appointment, as well as any trips already in progress or currently in planning.

Please itemise trips by dates of travel, destination, purpose, cities and countries visited, and alleged benefit derived in each case.

Please also provide details of total expenditure on travel during the period indicated as well as expenditure per trip. Please identify expenditure for each trip on each of the following:

- International airfares
- Domestic airfares
- Other transportation
- Hotel accommodation
- Subsistence/daily allowances
- Communication
- Hospitality
- Other expenses (itemised).

For each trip, please indicate the class of travel booked for international flights (eg Economy, Premium Economy, Business, First), the identity of the supplier (travel agent) through which flights and accommodation were booked, and the university cost code for each item of expenditure.

Please also provide details of how much of this expenditure was paid out of University funds and how much was re-claimed from non-university sources in each case.

Request dated 15/11/2009

http://www.whatdotheyknow.com/request/salaries_of_more_than_70000_2#incoming-79045

I am interested to know:

1. For the Professional and Administrative Services (Commercial Services, Enterprise & Development, Estates and Property Services, Finance, Governance Services, Human Resources, Information & Learning Services, Planning and Performance, Student Information, Student Life):

- The number of employees with a salary of £70,000 to £100,000
- The number of employees with a salary of greater than £100,000

2. For the Faculty of Arts, Media & Social Sciences:

- The number of employees with a salary of £70,000 to £100,000
- The number of employees with a salary of greater than £100,000

3. For the Faculty of Business, Law & the Built Environment:

- The number of employees with a salary of £70,000 to £100,000
- The number of employees with a salary of greater than £100,000

4. For the Faculty of Health and Social Care:

- The number of employees with a salary of £70,000 to £100,000
- The number of employees with a salary of greater than £100,000

5. For the Faculty of Science, Engineering & Environment:

- The number of employees with a salary of £70,000 to £100,000
- The number of employees with a salary of greater than £100,000

Request dated 15/11/2009

http://www.whatdotheyknow.com/request/details_of_the_external_activiti_2#incoming-79046

Can you please list all of the external bodies that Dr Richard

Li-Hua, Director of China Programmes, Salford Business School, is a member of. The likes of ones where his name keeps cropping up on websites, like CAMOT, ARAMCO and all others.

Could you please list all Offices, current and past held in these and similar external organisations since taking up his present University post with dates and terms of appointments to these external posts.

Could you also provide average hours per month spent on such non-University business, details of any remuneration including honoraria and fees, and whether these or other payments are returned to the University in lieu of publicly-funded University time spent on the business of these external posts.

Request dated 16/11/2009

http://www.whatdotheyknow.com/request/domestic_travel_of_prof_john_wilson/#incoming-79048

Please provide details of all domestic travel that involved an absence from his University office in Salford for one working day or more, undertaken by Professor John Wilson, Head of Salford Business School, since 1st September 2006, as well as any trips already in progress or currently in planning.

Please itemise trips by destination, purpose, and alleged public benefit derived in each case. Please also provide details of expenditure on travel, accommodation and subsistence associated with the above claimed by Prof Wilson during the period indicated. Please also provide details of how much of this was paid out of University funds and how much was re-claimed from non-university sources.

Request dated 16/11/2009

http://www.whatdotheyknow.com/request/domestic_travel_of_dr_christopher_andrew/#incoming-79049

Please provide details of all domestic travel that involved an absence from his University office in Salford for one working day or more, undertaken by Dr Christopher Andrew, Head of School of Art & Design, since his appointment, as well as any trips already in progress or currently in planning.

Please itemise trips by destination, purpose, and alleged public benefit derived in each case. Please also provide details of expenditure on travel, accommodation and subsistence associated with the above claimed by Dr Andrew during the period indicated. Please also provide details of how much of this was paid out of University funds and how much was re-claimed from non-university sources.

Request dated 18/11/2009

http://www.whatdotheyknow.com/request/appointments_to_posts_at_grade_6#incoming-79051

I am interested to know how many how many posts graded 6 and below, with the exemption of Research Assistants, have been filled by people who are not nationals of a European Economic Area (EEA) country.

Please provide this information for each of 2007, 2008 and 2009 separately.

In each case, please identify whether the appointment was full-time, part-time or fractional, and whether it was fixed-term or permanent.

In each case, please specify the reason why a non-EEA national was appointed.

In each case, please also specify if the University imposed a requirement that an employee must be of a particular racial group, as a genuine and determining occupational requirement, and that it was deemed proportionate to apply it in the particular case (in accordance with The Race Relations Act 1976 (Amendment) Regulations 2003, section 7 amended section 4 of the Race Relations Act 1976).

In each case, please identify if the appointment was made to a national of the People's Republic of China.

Request dated 20/11/2009

http://www.whatdotheyknow.com/request/family_members_accompanying_seni#incoming-79052

I am interested in the University of Salford's recent activities in

the People's Republic of China.

In particular, I would like to know how many times the following University staff were accompanied by members of their immediate family on recent business trips to China:

Prof Martin Hall, Vice-Chancellor;
Prof John Wilson, Head of Salford Business School.

For Prof Hall, please provide details for 2009. For Prof Wilson, please provide details since 1st September 2006.

Please itemise trips by dates of travel, destination, purpose, cities visited, and alleged benefit derived in each case.

Please identify which family member accompanied the member of university staff on each business trip. Please also explain why it was deemed necessary for the family member to join the business trip, whether this was approved in advance, and if so by whom.

Please also provide details of any holiday/recreational element of each trip (sightseeing, tours, etc).

In respect of any family members, please identify if University funds were used for expenditure on any of the following, and if so the amounts and university cost code:

- International airfares
- Domestic airfares
- Other transportation
- Hotel accommodation
- Subsistence
- Communication
- Hospitality
- Visas
- Other expenses (itemised).

Request dated 30/11/2009

http://www.whatdotheyknow.com/request/travel_and_expenses_policies#incoming-79050

Please could you provide copies of your travel and expenses policies, including all travel and subsistence rates.

Please also specify whether the retention of Frequent Flyer Miles

or similar reward schemes (including hotel reward schemes) by individual travellers is permitted. Please also specify whether staff are permitted to book other than the lowest appropriate fare/rate in order to obtain such rewards.

Request dated 02/12/2009

http://www.whatdotheyknow.com/request/memoranda_of_understanding_memor#incoming-79053

I am interested in the University of Salford's recent activities in the People's Republic of China.

Please could you provide a list of all organisations in the People's Republic of China with which the University of Salford has signed Memoranda of Understanding, Memoranda of Agreement or Memoranda of Co-operation.

Please state when the agreements were originally made, and when any amendments or extensions to the Memoranda were agreed. Please identify which of the agreements are still binding.

Please identify the names and offices of all signatories. Please also specify the alleged public benefit in every case.

Please also provide the full text of each Memorandum of Understanding, Memorandum of Agreement or Memorandum of Co-operation.

If it is not possible to provide a complete list, please provide the most complete list you can, and explain why you cannot provide a full list.