

Freedom of Information Act 2000 (FOIA)

Decision Notice

Date: 20 April 2016

Public Authority: University of Manchester
Address: Oxford Road
Manchester
M13 9PL

Decision (including any steps ordered)

1. The complainant has requested information from the university relating to staff in the Department of Physics from 1975 to date.
2. To the date of this notice, the university has not responded. The Commissioner's decision is that the university has breached section 10 of the FOIA.
3. The Commissioner requires the university to take the following steps to ensure compliance with the legislation:
 - The university should issue a full response under the FOIA to the complainant's request of 27 January 2016.
4. The public authority 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 27 January 2016, the complainant wrote to the university and requested information in the following terms:

"Please provide the following information, for each year, on the first day of each year (or thereabouts), from 1975-2016 inclusive:

Total number of academic staff in the Department of Physics (or

equivalent). Please split by gender.

Total number of Professors in the Department of Physics (or equivalent).

Please split by gender.

Total number of Senior Lecturers/Readers (or equivalent) in the Department of Physics (or equivalent). Please split by gender.

Total number of Lecturers in the Department of Physics (or equivalent).

Please split by gender.

Total number of other academic staff in the Department of Physics (or equivalent). Please split by gender.

Example data format:

2016

Academic staff: 20 male, 10 female

Professors: 8 male, 0 female

Senior lecturers: 4 male, 2 female

Lecturers: 6 male, 6 female

Other academic: 2 male, 2 female

2015

Academic staff: 20 male, 9 female

Professors: 8 male, 0 female

Senior lecturers: 4 male, 2 female

Lecturers: 6 male, 5 female

Other academic: 2 male, 2 female".

6. The university acknowledged receipt of the request on 29 January 2016. It explained that it was only able to provide the requested information from 2004 onwards due to a merger that took place at this time and asked the complainant to confirm if this would be acceptable.
7. The complainant responded the same day. He stated that he would be happy to receive the information for The University of Manchester from 2005-2016 and the information for The Victoria University of Manchester from 1975-2004 but if this information is not available just the information from 2005 onwards.
8. The university responded on 8 February 2016. It confirmed that it would collate the information and provide a full response as soon as possible.
9. The complainant chased the university on 8 March 2016, as he had not received a response.
10. The university responded the same day and apologised for the delay. It advised the complainant that it was finding it difficult to collate the information due to the many system changes over the years and it was now exploring one final possibility for collating the information. The

university confirmed that it would provide a response as soon as possible.

Scope of the case

11. The complainant contacted the Commissioner on 21 March 2016 to complain about the way his request for information had been handled. He stated that despite him chasing the university he had not to date received a formal response to his information request under the FOIA.
12. The Commissioner wrote to the university on 26 March 2016 and requested that it provides a formal response under the FOIA within 10 working days.
13. To the date of this notice, no formal response has been issued and no firm date has been given to the Commissioner or the complainant as to when this is likely.

Reasons for decision

14. Section 10 of FOIA states that a public authority shall respond to requests for information within 20 working days of receipt. The complainant's information request was received by the university on 27 January 2016 and as the university has still not issued a formal response under the FOIA, it is clear that the university is in breach of section 10 of the FOIA in this case.
15. The Commissioner requests that the university now responds to the request in full in order to comply with the requirements of 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: 0300 1234504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.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

Samantha Coward
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF