

## Fwd: FOI request

Date Wednesday, April 19th, 2023 at 10:45

----- Forwarded message -----

From: **Information Compliance Shared mailbox** <[info-compliance@bangor.ac.uk](mailto:info-compliance@bangor.ac.uk)>

Date: Thu, 30 Mar 2023 at 17:42

Subject: RE: FOI request

To:

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### Our Ref. FOI2680

Dear

I am writing in relation to your below request for an internal review of the University's response to your request under the FOIA.

As per the University's Freedom of Information Policy (<https://www.bangor.ac.uk/governance-and-compliance/freedomofinformation/documents/Freedom%20of%20Information%20Act%20Policy%20v4.1%20July%202021.pdf>) a Senior member of Staff who was not involved with the initial handling of the request has reviewed the process undertaken and the information relevant. Their decision is below:

***I have reviewed the received Fol request and the University's response. I have come to the conclusion that should we confirm whether or not an individual is employed by the University, this would contravene one of the data protection principles. As such I uphold the original decision by the University that this is personal information and is therefore exempt under Section 40(2) of the FOIA.***

If you are unhappy with the service you have received in relation to your request, in line with guidance from the Information Commissioner's Office, you have a right to submit an appeal to the Information Commissioner at <https://ico.org.uk/make-a-complaint/>.

Kind regards

Compliance Team



Tîm Cydymffurfio

Compliance Team

Gwasanaethau Llywodraethu

Governance Services

E-bost: [info-compliance@bangor.ac.uk](mailto:info-compliance@bangor.ac.uk)

Email: [info-compliance@bangor.ac.uk](mailto:info-compliance@bangor.ac.uk)

Prifysgol Bangor, Bangor, Gwynedd, LL57 2DG

Bangor University, Bangor, Gwynedd, LL57 2DG

Elusen Gofrestredig: Rhif 1141565

Registered Charity: No. 1141565

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[@BangorUni](https://twitter.com/BangorUni) [f/BangorUniversity](https://facebook.com/BangorUniversity)



**From:** [REDACTED]

**Sent:** 01 March 2023 06:26

**To:** Information Compliance Shared mailbox <[info-compliance@bangor.ac.uk](mailto:info-compliance@bangor.ac.uk)>

**Subject:** Re: FOI request

I would like to request an internal appeal immediately. Please confirm receipt of my request.

On Mon, 20 Feb 2023 at 17:53, Information Compliance Shared mailbox <[info-compliance@bangor.ac.uk](mailto:info-compliance@bangor.ac.uk)> wrote:

**Our Ref. FOI2680**

Dear [REDACTED]

Further to your request for information, the University's response is below:

**The University believes that this information is personal information and is therefore exempt under Section 40(2) of the FOIA. Section 40 (2) of FOIA provides an exemption where the application for personal data is made by someone other than the data subject. To apply the exemption appropriately, the conditions set out in Section 40 (3) of the FOIA should be satisfied. Section 40 (3) of FOIA states that where disclosure of the information would contravene any one of the eight principles in the DPA then this data is exempt.**

**The University does not believe that the release of the data requested will be fair or lawful to the individuals under the terms of FOIA as the data subjects have no expectation that their**

**personal data is likely to be released for this purpose and, as such, disclosure of the information requested by you under Section 1(1) of the FOIA would be in breach of Principle 1 of the DPA and hence section 40 (2) of the DPA applies.**

Please note that the University has a formal complaints procedure. If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision you should write to the University's Governance Services in the first instance ([info-compliance@bangor.ac.uk](mailto:info-compliance@bangor.ac.uk)) explaining the grounds for your complaint. In line with guidance from the Information Commissioner's Office, an appeal request must be submitted within 40 working days of the University's final response to this Freedom of Information Act request.

Kind regards,

Compliance Team

Tim Cydymffurfio

Compliance Team

Gwasanaethau Llywodraethu

Governance Services

E-bost: [info-compliance@bangor.ac.uk](mailto:info-compliance@bangor.ac.uk)

Email: [info-compliance@bangor.ac.uk](mailto:info-compliance@bangor.ac.uk)

Prifysgol Bangor, Bangor, Gwynedd, LL57 2DGBangor University, Bangor, Gwynedd, LL57 2DG

Elusen Gofrestredig: Rhif 1141565

Registered Charity: No. 1141565

[info@prifysgolbangor.ac.uk](mailto:info@prifysgolbangor.ac.uk) / [PrifysgolBangor.ac.uk](http://PrifysgolBangor.ac.uk)

[info@BangorUni.ac.uk](mailto:info@BangorUni.ac.uk) / [BangorUniversity.ac.uk](http://BangorUniversity.ac.uk)

**From:** [REDACTED]

**Sent:** 23 January 2023 11:06

**To:** Information Compliance Shared mailbox <[info-compliance@bangor.ac.uk](mailto:info-compliance@bangor.ac.uk)>

**Subject:** FOI request

Dear sir/madam,

My name is [REDACTED]. This FOI request relates to the university's Confucius Institute, in particular to the roles at the Confucius Institute for which individuals are recruited in China (if I understand correctly, that is the Chinese language teachers, and the 'Chinese co-director').

- Are these university roles? Are the rights and privileges of university staff attached to these roles? Are those who occupy these roles staff of the university? Are these individuals employed by the university? *Please share any documentation that answers these questions or otherwise defines the legal status of these roles and those who occupy them.*

- Please state whether the university has received legal advice about the legal status of these roles and those who occupy them.

Best,



**Mae croeso i chi gysylltu gyda'r Brifysgol yn Gymraeg neu Saesneg. Ni fydd gohebu yn Gymraeg yn arwain at oedi.**

**You are welcome to contact the University in Welsh or English. Corresponding in Welsh will not lead to delay.**

**Rhif Elusen Gofrestredig 1141565 - Registered Charity No. 1141565**

Gall y neges e-bost hon, ac unrhyw atodiadau a anfonwyd gyda hi, gynnwys deunydd cyfrinachol ac wedi eu bwriadu i'w defnyddio'n unig gan y sawl y cawsant eu cyfeirio ato (atynt). Os ydych wedi derbyn y neges e-bost hon trwy gamgymeriad, rhowch wybod i'r anfonwr ar unwaith a dilewch y neges. Os na fwriadwyd anfon y neges atoch chi, rhaid i chi beidio a defnyddio, cadw neu ddatgelu unrhyw wybodaeth a gynhwysir ynddi. Mae unrhyw farn neu safbwynt yn eiddo i'r sawl a'i hanfonodd yn unig ac nid yw o anghenraid yn cynrychioli barn Prifysgol Bangor. Nid yw Prifysgol Bangor yn gwarantu bod y neges e-bost hon neu unrhyw atodiadau yn rhydd rhag firsau neu 100% yn ddiogel. Oni bai fod hyn wedi ei ddatgan yn uniongyrchol yn nhestun yr e-bost, nid bwriad y neges e-bost hon yw ffurfio contract rhwymol - mae rhestr o lofnodwyr awdurdodedig ar gael o Swyddfa Cyllid Prifysgol Bangor.

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