

[REDACTED]

28 February 2023

Our Ref: FOI 280375

Dear [REDACTED]

Re: Freedom of Information (Scotland) Act 2002 – Request for Information

Thank you for your email which was received by the University on 23 January 2023 timed 11:05 hours, requesting the following:

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').

- 1. Are these University roles?**
- 2. Are the rights and privileges of University Staff attached to these roles?**
- 3. Are those who occupy these roles staff of the University?**
- 4. 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.

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

University's Response

We apologise for the delay in responding to your request.

- 1. Are these University roles?**
- 2. Are the rights and privileges of University Staff attached to these roles?**
- 3. Are those who occupy these roles staff of the University?**
- 4. Are these individuals employed by the University?**

In response to **questions 1 - 4** above, please be advised the individuals have affiliated member of staff status, but are not employed or paid by the University. They have a University of Glasgow email address and can access its network and library.

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

No legal advice has been received about the legal status of the roles and those who occupy them. Therefore, the University of Glasgow does not hold the information that you have requested and is not aware of any other public authority that could respond to your request. Section 17 of FOISA states that where public authorities receive requests for information that they do not hold, they must issue a notice advising that they do not hold the requested information.

The supply of documents under the terms of the Freedom of Information (Scotland) Act 2002 does not give the applicant or whoever receives the information any right to re-use it in such a way that might infringe the Copyright, Designs and Patents Act 1988 (for example, by making multiple copies, publishing or otherwise distributing the information to other individuals and the public). The Freedom of Information (Scotland) Act 2002 (Consequential Modifications) Order 2004 ensured that Section 50 of the Copyright, Designs and Patents Act 1988 ("CDPA") applies to the Freedom of Information (Scotland) Act 2002 ("FOISA").

Breach of copyright law is an actionable offence and the University expressly reserves its rights and remedies available to it pursuant to the CDPA and common law. Further information on copyright is available at the following website:

<http://www.ipo.gov.uk/copy.htm>

Your right to seek a review

Should you be dissatisfied with the way in which the University has dealt with your request, you have the right to require us to review our actions and decisions. If you wish to request a review, please contact the Data Protection and Freedom of Information Office at foi@gla.ac.uk within 40 working days. Your request must be in a recordable format (letter, email, audio tape, etc). As the University of Glasgow is a Scottish Public Authority, your request is subject to the terms of the Freedom of Information (Scotland) Act 2002 ("FOISA"). You will receive a full response to your request for review within 20 working days of its receipt.

If you are dissatisfied with the way in which we have handled your request for review you may ask the Scottish Information Commissioner to review our decision. You must submit your complaint to the Commissioner within 6 months of receiving the response to review letter. The Commissioner's Office may be contacted as follows:

Online Appeal Service:

Website: www.itspublicknowledge.info/Appeal

By post:

The Scottish Information Commissioner
Kinburn Castle
Doubledykes Road

St Andrews
Fife
KY16 9DS

Telephone: 01334 464610
Fax: 01334 464611
E-mail: enquiries@itspublicknowledge.info

An appeal, on a point of law, to the Court of Session may be made against a decision by the Commissioner.

For further information on the review procedure please refer to
(<http://www.gla.ac.uk/services/dpfoioffice/policiesandprocedures/foisa-complaintsandreview/>)
All complaints regarding requests for information will be handled in accordance with this procedure.

Yours sincerely,

Data Protection and Freedom of Information Office