

Ref No: FOI 5347
Date: 22/02/23
Subject: Confucius Institute Staff

REQUEST

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.

Clarification Issued

Within your request you state that it relates 'in particular' to the roles at the University's Confucius Institute for which individuals are recruited in China. We would be grateful if you could confirm whether this means you are interested solely in information relating to those individuals, or whether you are interested in information relating to all individuals with roles at the University's Confucius Institute.

Clarification Received

Solely the information relating to the individuals recruited in China.

RESPONSE

The University does not employ anyone who has been recruited in China for roles in the Confucius Institute. The University has visiting scholars who are seconded on work placements from the University's Confucius Institute's partner university in China, the South China University of Technology, to teach Chinese. These work placements are undertaken as part of the China-UK Mandarin Teachers Scheme. The Confucius Institute at the University does not have a Chinese co-director.

Visiting scholars are considered to be staff at the University but are not considered employees.

All visiting scholars have access to a Lancaster University email account, library card, computer and work desk. They are however not eligible for broader staff benefits (e.g. dining discounts, travel permits, staff memberships at the sports centre etc.) which are reserved for Lancaster University employees.

The China-UK Mandarin Teachers Scheme is a Tier 5 Government Authorised Exchange Programme which is agreed with the UK government and administered in the UK by the Centre for Language Education and Cooperation UK. As such the University has not received legal advice about the legal status of the visiting scholar roles and those who occupy them.

The following excerpt from the agreement between the University and the South China University of Technology confirms that the staff undertaking the aforementioned work placements are employees of the South China University of Technology;

“Article 3 Rights and Obligations

3.1 SCUT shall:

...

(b) Nominate a Deputy Director China and pay the salary of the Deputy Director China during their term of service;

(c) Provide and train the teaching staff selected from SCUT or through other channels”

Additionally, the following excerpt from the letter sent to all visiting scholars by the University confirms that their appointment at the University is a non-salaried position:

“This appointment carries no salary but the terms and conditions of appointment are set out in the accompanying document (TC5), which provides details of relevant local policies and procedures. Please note that in respect of clauses 4.1 and 4.7 'appointment' shall be taken to mean all that time spent in association with the work of the University whether paid or not”

Your request i.d. is: 5347. Please quote this in all enquiries.

The University aims to comply fully with its obligations under the Freedom of Information Act 2000 and to ensure that the service it provides for those wishing to gain access to information is helpful and effective.

The personal information you have supplied will be used only to process your request; some details will be retained for our records after the request has been answered. This information will not be passed on to other parties unrelated to the University unless we are required to do so by law, or where it would be necessary to answer the request in full (in which case we would seek your consent for any transfer).

Process for Making a Complaint

If you feel the service you have received does not meet our aims or your expectations, you are entitled to request that the University undertakes an internal review of the way we have responded to this request. Requesters should make requests for an internal review no later than 40 working days after the date of this document. The University is not obliged to accept internal reviews after this point.

To request an internal review, please write to:

Head of Governance Services
University House
Lancaster University
Bailrigg
Lancaster
LA1 4YW

Email: information-governance@lancaster.ac.uk

If, following our internal review, you are dissatisfied with the response provided, you may write to the Information Commissioner's Office, for details visit www.ico.org.uk.