



FOI request

Freedom of Information <foi@leeds.ac.uk>

17 February 2023 at 16:50

To: [REDACTED]

Dear [REDACTED]

Freedom of Information Response (Our Ref: L/23/030)

Thank you for your Freedom of Information ('FOI') request, reference L/23/030.

The University of Leeds holds this information.

Your request read:

"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?

Yes, they are Academic Visitor roles

Are the rights and privileges of university staff attached to these roles?

The Academic Visitor role is a non-contracted engagement with the University, so many of the rights and privileges do not apply. Please see below for the UoL terms and conditions, policies and procedures which do apply:

University Policies and Procedures

You will find further details of our employment policies and procedures, which are available at <http://hr.leeds.ac.uk/policies>.

Conduct

Whilst you hold the title, you are expected to act at all times in good faith and in the interests of the University, and in line with lawful instructions and University values and standards.

You are also required to comply with all regulations, policies, rules, codes and procedures put in place by the University at any time. Further details are currently available at <http://www.leeds.ac.uk/forstaff/>.

In particular, I would like to draw your attention to the following policies set out below which should be read as applying equally to you.

Intellectual Property Rights

In the event that you become involved directly or indirectly, with any research projects being carried out at the University, you agree to treat all information as confidential. Written consent from the Dean of Faculty/Head of Service or nominee must be obtained before such information is disclosed to a third party. Any Intellectual Property rights created as a result of your research conducted at the University are subject to the University's Policy on Intellectual Property rights. The default position is that the University owns any Intellectual Property rights created as a result of your research conducted at the University. This position may be varied with the written consent of the Dean of Faculty / Head of Service or nominee. The University's Intellectual Property rights policy is available at http://www.leeds.ac.uk/secretariat/documents/ipr_policy.pdf

Confidentiality

Your acceptance of the terms of the enclosed statement on the confidentiality of research.

Data Protection

You should familiarise yourself with the Staff Privacy Notice http://www.leeds.ac.uk/secretariat/documents/staff_privacy_notice.pdf and the Student Privacy Notice http://www.leeds.ac.uk/secretariat/documents/student_privacy_notice.pdf which outline how we collect and use personal data, how we share it, how long we keep it for and what your rights are

in relation to it.

A GDPR Data Protection Information Sheet is available at:

https://www.leeds.ac.uk/forstaff/downloads/file/1489/gdpr_data_protection_information_sheet_may_2018

Health and Safety

You are specifically required to familiarise yourself with and abide by the University's Health and Safety Policy, a copy of which is currently accessible at <http://www.leeds.ac.uk/safety/policy.htm>. In particular you have specific duties to:-

- Take reasonable care to avoid injury to yourself or to others
- Not to interfere with or misuse any clothing or equipment provided to protect your Health and Safety
- Report any accident or injury immediately and record the details in the departmental accident/incident book.

Training is made available on matters of Health and Safety and it is compulsory that you participate in any training appropriate to your status.

Equality and Inclusion

You are specifically required to familiarise yourself with and abide by the Equality and Inclusion Policy statement, which forms part of the University's Equality and Inclusion Framework, available at <http://www.equality.leeds.ac.uk/university-policies/>. You should read the policy documentation at an early date to ensure that you are fully aware of your rights and responsibilities.

The University will not tolerate acts of harassment, bullying or victimisation. This includes such behaviour either against colleagues or any other individual with whom you interact in the course of your duties, including students.

You are required to comply with the University's policy on Dignity and Mutual Respect, which can currently be found at <https://equality.leeds.ac.uk/wp-content/uploads/sites/64/2014/03/Dignity-and-respect.pdf>

Personal Property

You are required to take personal responsibility for all personal possessions or other property, including vehicles, which you may bring onto University premises. The University takes no responsibility for any personal items which may be lost, stolen or damaged whilst on University premises.

Termination of Agreement

Please note; your IT user and email account will be terminated in the event your account is not accessed for a period of 6 months.

The University reserves the right to terminate this agreement at any time and without notice or further obligation if any of the terms of this agreement are breached.

Are those who occupy these roles staff of the university?

No, they are not "staff," as they are not employees and do not appear in staffing lists. However, locally, they may be regarded as "staff," part of the wider BCI team. They have staff cards and usernames etc., as part of their Academic Visitor privileges

Are these individuals employed by the university?

No, they have non-contracted employment status with 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 see **Appendix A**, attached, for an example of a standard Academic Visitor agreement letter. Please note, personal information has been redacted under Section 40(2) of the Act. Section 40(2) sets out that information is exempt from disclosure if it is the personal data of someone other than the person making the request, and disclosure would; contravene the data

protection principles; contravene an objection to processing; or if the data is exempt from the right of subject access.

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

Please note, we are still awaiting feedback from the relevant department on this final question. We will provide you with the requested information as soon as possible.

We hope this information is helpful. If you have any questions about this email, however, please do not hesitate to contact us on foi@leeds.ac.uk

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 can request an Internal Review. Requests for Internal Review should be made in writing using the following contact information:

Email: foi@leeds.ac.uk

Requests for Internal Review should be submitted within 40 working days of receiving the University's response to your request. Further information about how the University manages FOI requests and about our complaints procedure is also available on our website (www.leeds.ac.uk).

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have exhausted the review/complaints procedure provided by the University. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Sincerely

[Redacted signature]

[Redacted signature]

University of Leeds

From: [REDACTED]
Sent: 23 January 2023 11:05 AM
To: Freedom of Information <foi@leeds.ac.uk>
Subject: FOI request

Dear sir/madam,
[Quoted text hidden]

 **L.23.030 Appendix A.pdf**
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