

Our Reference: FOI/DJ/2010/4/84
Your Ref:

UNIVERSITY OF
BIRMINGHAM

Legal Services

Director
Mrs C M E Pike LLB
Solicitor

STRICTLY PRIVATE AND CONFIDENTIAL

Ian Benson
10 County House Mews
Monkgate
York
YO31 7NR

(By Email)

26 May 2010

Dear Mr Benson

Re: request for information under The Freedom of Information Act.

Further to your request for information dated 26 April 2010 please find attached the University of Birmingham's response.

If you are unhappy with the manner in which your request has been dealt with, you may ask for an internal review. A copy of the Complaints and Appeals procedure is attached. If you are not content with the outcome of the internal review, you have a right to apply directly to the Information Commissioner for a decision.

Please note our statement in respect of Copyright, which is also attached.

If you have any queries with regard to this letter, please do not hesitate to contact me.

Yours sincerely

Information Compliance Manager
Legal Services

Encs

Your request for information read:

I would like to request the following information under the provisions of the Freedom of Information Act. I would ask you to send your response by e-mail.

Q1 Does your institution provide any information or advice to students or staff on any potential liability under Terrorism legislation which might result from accessing materials for teaching or research ? If so please provide copies of any documents held which detail or refer to such information or advice.

Q2 Does your institution have any kind of procedure to review or assess reading lists, module descriptors or other teaching materials which explicitly or in practice considers questions of safety and risk under terrorism legislation as part of its remit ? For example does the institution have anything similar or analogous to the 'module review process' established at Nottingham University described here :

[http://www.timeshighereducation.co.uk/story.asp?storycode=407122;](http://www.timeshighereducation.co.uk/story.asp?storycode=407122)
<http://www.teachingterrorism.net/2009/08/03/nottingham-censorship-a-defence;>
<http://www.teachingterrorism.net/2009/08/06/is-vetting-at-nottingham-in-defence-of-academic-freedom>

If so please supply full details of this policy and procedure and advise when and how it was decided upon and implemented.

Q3 Does your institution have any system, policy or procedure in place for dealing with any potential actions taken by the authorities against the institution, its students or staff under Terrorism legislation ? If so please supply a copy of the policy and advise the date it was decided upon and implemented.

Q4 Does your institution have any system, policy or procedure in place for 'preventing violent extremism' as recommended for example in the government guidance document 'Promoting Good Campus Relations'
<http://webarchive.nationalarchives.gov.uk/tna/+http://www.dius.gov.uk/publications/extremismhe.pdf>

Please indicate what procedures or policy exist and advise when it was decided upon and implemented, and provide copies of any documents held which detail or refer to such policy or procedures.

The University of Birmingham responds:

- Q1. The University does not issue specific information or advice on any potential liability under terrorism legislation. However general guidance is provided which covers all aspects of potential liability for accessing materials for teaching or research. Guidance can be found in the following documents:

http://www.as.bham.ac.uk/legislation/docs/COP_Research.pdf

<http://www.it.bham.ac.uk/policy/documents/UoBGeneralCondoofUseofComputing.pdf>

<http://www.hr.bham.ac.uk/policy/terms/>

- Q2. The University does not specifically reference the legislation in its review processes. Its programme approval and modification processes reference quality and standards – i.e. those set out by the Quality Assurance Agency, professional bodies/ learned societies (AMBA; RSC; GMC) and other policy statements (e.g. Bologna) if concerns were raised about material in review processes they will be passed to the PVC (Teaching and Learning) and the Registrar and Secretary to review.

- Q3. Staff and students are subject to the University's discipline procedures.

Links to Staff and Student discipline procedures can be found at:

http://www.hr.bham.ac.uk/policy/disgri_support.shtml

http://www.hr.bham.ac.uk/policy/disgri_aca.shtml

http://www.hr.bham.ac.uk/policy/disgri_admin.shtml

<http://www.as.bham.ac.uk/study/support/sca/conduct.shtml>

- Q4. The University's Code of Practice on Freedom of Speech on Campus can be found at:

http://www.as.bham.ac.uk/legislation/docs/COP_Freedom_of_Speech.pdf

The University is well aware of the Governments Guidance "Promoting Good Campus Relations" and is active as part of the Prevent Programme, working in partnership with police. It takes these into account in its approach when dealing with Freedom of Speech on Campus.

University of Birmingham

Freedom of Information

COMPLAINTS AND APPEALS PROCEDURE

Complaints and Appeals against a Refusal Notice issued in response to a request for information must be made in writing to the University's Information Compliance Manager (address given below). Complaints in respect of the University's Publication Scheme can be made in the same way.

Complaints and Appeals will be acknowledged within five (5) working days of receipt. The Information Compliance Manager will then refer the matter to the University's Director of Legal Services or nominee for consideration. If the Director of Legal Services was involved in responding to the request at the first stage, then the University's Registrar & Secretary or nominee will be asked to investigate the matter.

The Director of Legal Services or the Registrar & Secretary as appropriate may, after having sought further information from the members of staff involved in dealing with the original request, seek to resolve the issue on the basis of the documentation submitted. Where the Director of Legal Services or the Registrar & Secretary requires further clarification, he/she may decide to meet with the members of staff involved in dealing with the original request.

A full response to the complaint will normally be sent direct to the Complainant(s) within fifteen (15) working days, or in the case of a complex review, especially when the public interest test is involved, within thirty (30) working days.

If, having received this response, the Complainant(s) remains dissatisfied, s/he may make an appeal to the Information Commissioner at the address below.

Addresses for Correspondence

Information Compliance Manager
Legal Services
The University of Birmingham
Edgbaston
Birmingham
B15 2TT

Or: foi@contacts.bham.ac.uk

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK95AF

The University of Birmingham

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