



J J Hermes  
By email

Reference: FOI-2014-373 (Review)

6 January 2015

Dear Mr Hermes,

Thank you for your email of 10 December 2014 requesting a review of the response dated 12 November 2014 supplied to you in respect of your request for information dated 20 October 2014. I now reply as the officer responsible for the internal review of the handling of such requests. The purpose of the internal review procedure is to ensure that the University has complied with the Freedom of Information Act 2000 ('the Act').

In your email of 10 December 2014 you stated:

*please consider this a formal request for an internal review to the withholding of the names and titles of the 11 non-academic, senior members of staff identified in your 12 Nov 2014 response making more than £150,000 in total emoluments for the year ended 31 July 2014, FOI-2014-373 (Hermes). [...]*

*Support for naming the 11 non-academic members of staff comes from a First-Tier Tribunal decision in a very similar case that universities must disclose the names/titles and salaries of all members of the PSS (Professional Services staff; ie, the senior management team) making more than £100,000 in total emoluments. The Information Commissioner's Office found in case FS50513117 dated 17 Feb 2014 that King's College London must release the names/titles and salaries of \*all\* staff making more than £100,000 in total emoluments ([http://ico.org.uk/~media/documents/decisionnotices/2014/fs\\_50513117.pdf](http://ico.org.uk/~media/documents/decisionnotices/2014/fs_50513117.pdf)). However, the First-Tier Tribunal ruled on 2 Oct 2014 in Case No. EA/2014/0054, an appeal from King's College, that only the names and salaries of members of the PSS (Professional Services staff; ie, the senior management team) making more than £100,000 in total emoluments are subject to disclosure ([http://www.informationtribunal.gov.uk/DBFiles/Decision/i1390/Kings%20College%20London%20EA.2014.0054%20\(30.09.14\).pdf](http://www.informationtribunal.gov.uk/DBFiles/Decision/i1390/Kings%20College%20London%20EA.2014.0054%20(30.09.14).pdf)). Non-academic managers (for example, the registrar, the finance director, bursars, etc.) making more than £150,000 in total emoluments are no doubt members of a senior management team whose names and salaries should be made public in light of the First-Tier Tribunal's 2 Oct 2014 ruling.*

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I have considered all the circumstances of the case and have concluded that the Information Compliance Officer was correct to withhold the information that you highlight in your request for a review.

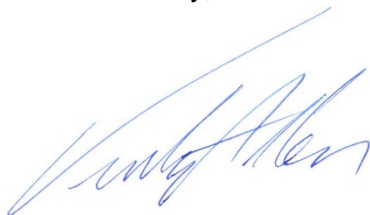
I start by addressing the application of the exemption at section 40(3)(a)(i) of the Act. The ruling of the First-tier Tribunal in the King's College London (KCL) case does not create legal precedent and in any case relates to a different set of circumstances, focusing as it does on those individuals meeting as members of the 'Principal's Central Team' – a strategic committee or group that does not have an equivalent at Cambridge. I am of the view that the disclosure of the information you have requested would be unfair to all of the individuals concerned, because they would have no reasonable expectation that such a disclosure might take place, and as a result this would breach the first data protection principle. In particular, most of the eleven members of non-academic staff that appear in the list are not performing senior administrative roles that equate to those described in the KCL ruling; instead, they hold specialist posts in the University's global businesses and in its major capital development and investment sections.

I turn now to the application of the exemption at section 43(2) of the Act. The majority of the posts in question are remunerated at a level to reflect the markets in which the relevant businesses operate. Disclosing the details of the remuneration packages at a named individual level would be likely to add upward pressure on salaries which does not represent a good use of money; furthermore, some of the individual members of staff might choose to leave to work for direct competitor companies in the private sector where such information is treated as commercially sensitive and confidential. I accept that there is some public interest in the University's expenditure on senior salaries. However, the University receives a very small proportion of direct public money when viewed in the context of its overall revenue streams and most of the individuals in question operate in parts of the University and its businesses that generate income to enable further investment in the University's core teaching and research endeavour that is of significant public benefit.

I therefore find that both sections of the Act were applied correctly to refuse all of the information that you highlight in your request for a review.

If you remain dissatisfied with the University's handling of this request or with the outcome of this review, you may raise the matter by way of appeal to the Information Commissioner who may be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (<http://www.ico.org.uk/>).

Yours sincerely,



Kirsty Allen