



Jj Hermes <jamesjhermes@gmail.com>

RE: FOI request

1 message

IMPFOI <foi@imperial.ac.uk>
To: Jj Hermes <jamesjhermes@gmail.com>
Cc: IMPFOI <foi@imperial.ac.uk>

Mon, Nov 17, 2014 at 5:34 PM

Dear Mr Hermes,

Thank you for your Freedom of Information request and later clarification of part 2 of your request. Please find the College's response to your request as follows:

1. The names and titles of all senior staff members making more than £150,000 in total emoluments for the year ended 31 July 2014. These individuals are considered "higher-paid staff" by the Higher Education Funding Council (HEFCE).
2. Please identify the number of individuals identified in the first request who are (a) tenured faculty, (b) clinical staff, or (c) serve in a non-classroom capacity, such as administrative staff.
3. The total emoluments for the past five (5) years for each of the senior staff identified in the first request.

Please find attached information on the numbers of staff in each salary band whose total emoluments was in excess of £150,000 in the year ended 31 July 2014. The total emoluments includes salary, allowances, bonuses and employers' pension contributions.

Details of the name, job title and corresponding remuneration of all staff members who received in excess of £150,000 in 2013-14 have not been provided as this constitutes the personal data of the individuals concerned. Personal data is exempt from disclosure under section 40(2) of the Freedom of Information Act which states that 'any information to which a request for information relates is also exempt information if – (a) it constitutes personal data'. Additionally the College considers the release of employee names and job titles, alongside remuneration data to be exempt under section 43(2) of the Act which states that information is exempt if its disclosure 'would or would be likely to, prejudice the commercial interests of any person (including the public authority holding it)'. This is because the College operates in a highly competitive international market place where universities are competing with other institutions, including those in the private sector which are not subject to FOI, to attract the best academics and support staff to their employ. Release of this data would make it easier for competing institutions to poach the College's more senior staff with offers of higher salaries. The poaching of such

staff would impact negatively on the College and make it harder for it to compete for income from the Government and other sources of funding. Disclosure could also detrimentally effect salary negotiations with existing and potential new employees as individuals would have a greater awareness of the remuneration paid to other staff members in similar positions. Additionally, the release of the data would likely lead to internal discontent amongst staff who would be able to access the salary data of their colleagues or individuals in similar or equivalent roles. The First Tier Information Rights Tribunal has recently confirmed that section 43(2) can appropriately be applied to academic staff.

Although universities receive public funds to support some of their activities, the portion of public funding for universities has reduced substantially in recent years. In the last two years almost 60% of the College's income has come from private sources rather than from public funds. Nevertheless, the College recognises that there is a public interest in the salaries of individuals paid even partially with public funds. However, it is the College's view that, for the reasons outlined above, the public interest in maintaining the exemptions outweighs the public interest in disclosure. It is essential that the College continues to retain its most senior staff who are responsible for delivering the College's mission of world class scholarship, education and research in science, engineering, medicine and business, with particular regard to their application in industry, commerce and healthcare and which benefits society as a whole.

With regard to part 2 of your request, you provided clarification as to the meaning of the terms used. Please find a percentage breakdown of the individuals who received in excess of £150,000 in total emoluments for the year ended 31 July 2014 for the categories requested.

Non clinical academic staff	Clinical staff	Other
32%	62%	6%

Part 3 of your request requires this information for the previous 5 years. Information for 2013/14 has been provided but we are unable to provide similar information for the prior four years as to do so would exceed the cost limit set down in the Freedom of Information Act. Section 12 states that: (1) Section 1 (1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit (under the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004). The appropriate limit is set at 18 hours.

It was possible to provide the data for 2013/14 as it was constructed using the same background data that informed the College's 2013/14 *Annual Report and Accounts* which will be available in December. For the

preceding four years, the background data available is not detailed enough to produce these figures, so the data would need to be reconstructed from the beginning involving ICT, HR and Finance's input. The report that creates this information pulls data from multiple sources and it would need to be re-configured for each year. After the report has been run, the data then needs to be checked thoroughly for accuracy and the data for individuals not employed for the entire year needs to be manually checked and re-calculated. This entire lengthy process will need to be repeated for each year. In order to fall under the cost limit you will need to reduce the timeframe of your request (although it is possible that the cost limit would still be exceeded for the reasons outlined). Please note, however, that information on the remuneration of higher paid staff at the College, shown in bands of £10,000 from £100,000 upwards is provided in the College's *Annual Report and Accounts* each year. These are readily available on the College's web site at:

<http://www3.imperial.ac.uk/finance/aboutfinance/publications>

This page includes copies of the annual accounts from 1997-98 to 2012-13. The accounts for 2013-14 will be available on the same web page before the end of this year.

I am obliged, under the Freedom of Information Act, to inform you of our complaints procedures in case you are unhappy about the way in which your request has been dealt with. If you wish to complain about this response, you should contact the College Secretary at the address below.

The College Secretary

Imperial College London

Exhibition Road

London

SW7 2AZ

Tel: 020 759 47272

E-mail: collegesecretary@imperial.ac.uk

The College Secretary must respond to all complaints within 20 working days.

If you are unhappy about the way in which the College Secretary handles your complaint then you may have recourse to the official regulator for the Freedom of Information Act who is:

The Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

<http://www.ico.gov.uk>

Kind regards,

Jessica

From: Jj Hermes [mailto:jamesjhermes@gmail.com]

Sent: 22 October 2014 15:58

To: IMPFOI

Subject: Re: FOI request

Hi Jessica,

Thank you for your question.

Apologies for the reference to "tenured faculty" -- I am coming from the US, where this phrase actually has meaning! Since the UK doesn't have tenure, "tenured faculty" in this context should mean anyone who is a professor or some kind of classroom duties. Perhaps "academic staff" would have been most appropriate.

For part (b) I am referring to any clinical role, academic or otherwise. I suspect there may be some folks who belong both to categories (a) and (b).

And yes, for category (c) I mean by non-academic staff, which might be entirely administrative staff. There may not be anyone else in this category besides administrative staff, but some universities have private-public partnerships and those staff are not exactly administrative nor do they have classroom duties; I meant for them to be included in the (c) category.

To summarize, perhaps a better way to distinguish would have been:

- (a) academic staff
- (b) clinical staff
- (c) administrative (or other) staff

Cheers,
JJ

On Wed, Oct 22, 2014 at 12:19 PM, IMPFOI <foi@imperial.ac.uk> wrote:

Dear Mr Hermes

Further to your request below please could you provide further clarification as part 2 of your request.

Please identify the number of individuals identified in the first request who are (a) tenured faculty, (b) clinical staff, or (c) serve in a non-classroom capacity, such as administrative staff.

Please could you explain what you mean by “tenured faculty”. For category (b) are you referring to clinical academic roles? Please note – such individuals would normally be members of staff within the Faculty of Medicine. For category (c) please clarify what you mean by “Non-classroom”? Do you mean non academic staff? We are unclear who you mean to include in this category alongside administrative staff.

Please note, until we have heard from you we will not be able to proceed with considering that part of your request.

I look forward to hearing from you.

Kind regards

Jessica

From: Jj Hermes [<mailto:jamesjhermes@gmail.com>]

Sent: 20 October 2014 12:17

To: IMPFOI

Subject: FOI request

To whom it may concern,

I respectfully request the following information under the Freedom of Information (FOI) Act:

1. The names and titles of all senior staff members making more than £150,000 in total emoluments for the year ended 31 July 2014. These individuals are considered "higher-paid staff" by the Higher Education Funding Council (HEFCE).
2. Please identify the number of individuals identified in the first request who are (a) tenured faculty, (b) clinical staff, or (c) serve in a non-classroom capacity, such as administrative staff.
3. The total emoluments for the past five (5) years for each of the senior staff identified in the first request.

There is wide precedent across publicly funded entities in the UK of regularly disclosing this type of information. The Accounts and Audit (Amendment no 2) Regulations of 2009 require local authorities to publish the actual salaries, allowances, bonuses, compensation and employer's pension contributions paid to each employee who earned over £50,000, and in addition to publish the names of those staff who earned over £150,000 (<http://www.legislation.gov.uk/ukxi/2009/3322/made>). It is not necessary to disclose the exact salary of the employees earning more than £150,000, but rather to quote that amount in bands of £10,000, as directed by the HEFCE.

The request holds significant public interest, given that the university is a publicly funded institution of higher education that derives a significant portion of funding from public taxation. In addition, openness is, in itself, something in the public interest in promoting accountability and transparency in the spending of public money. As suggested by the Information Commissioner's Office, "It is reasonable to expect that a public authority would disclose more information relating to senior employees than more junior ones. Senior employees should expect their posts to carry a greater level of accountability." Employees earning more than £150,000 annually can be considered senior employees, since this compensation is more than twice the highest grade on the human resources salary scale.

I look forward to hearing back from you regarding this request. Please do not hesitate to contact me with any follow-up questions (mobile: +44 079273 75045). I would prefer all correspondence be sent digitally through this e-mail address, including the response to this request. Thank you for your time in addressing this query.

Sincerely,
JJ Hermes

jamesjhermes@gmail.com
20 Oct 2014

 **FOI - Remuneration bands.xlsx**
11K